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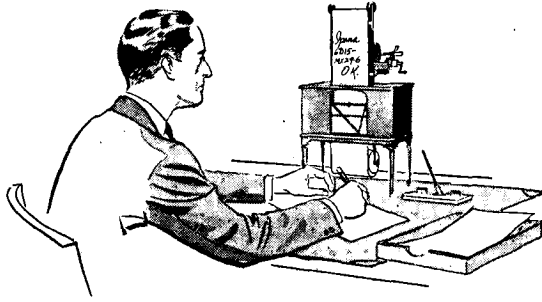
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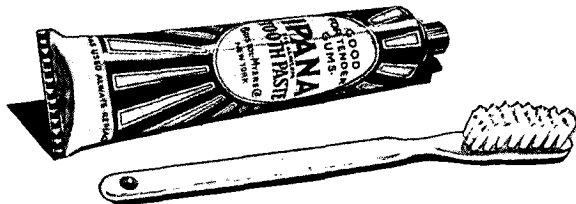
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Published by The American Mercury, Inc., monthly on the 25th of the month preceding the date, at 50 cents a copy. Annual subscription, \$5.00 in U. S. and Possessions, Mexico, Cuba, Spain and Colonies, and the Republics of Central and South America, Canada, \$5.50; other foreign subscriptions, \$6.00; all rag edition, \$10.00 by the year. Editorial and general offices, 570 Lexington avenue, New York. Publication Office, Federal and

19th streets, Camden, N. J. Printed in the United States. Copyright, 1936, by The American Mercury, Inc. Entered as second class matter January 4, 1924, at the post office at Camden, N. J., under the Act of March 3, 1879. Five weeks' advance notice required for change of subscribers' addresses. Indexed in The Readers' Guide to Periodical Literature. No reproduction of content allowed without permission.

THE OPEN FORUM

[Letters from readers, on any subject, will be welcomed to these pages]

SINCLAIR vs. MENCKEN: ROUND II

My dear Mencken:

I wrote in good faith to offer you facts, and you reply that you are perfectly satisfied with your prejudices. You are a psychologist, so you say, but very certainly you are not a collector of social facts. You do not even quote yourself correctly. You now speak of your "reasonable speculation", but anybody who reads what you wrote can see that it was not a speculation but a flat statement as to what I would do if I had power: "You may be *sure* that if he is ever thrust into the eminence he dreams of beneath his California upas tree", etc.

You produce another galaxy of misstatements born of your frenzied irritation. You accuse me of having given aid and comfort to A. Mitchell Palmer. I published a monthly magazine during the war, of which you were kind enough to express admiration, but now apparently you have forgotten it. In that magazine I kept up a continual barrage of protest against the actions of A. Mitchell Palmer; I defended Debs and the other political prisoners. When President Wilson was in Los Angeles, just before his death, I laid siege to his hotel day and night on behalf of political prisoners; I personally intervened with Palmer's subordinates here and kept several pacifists out of jail. Immediately after the war I wrote an anti-war play, called "Hell", in which I made A. Mitchell Palmer one of the head devils. The climax of the play showed some of his imps twisting his tail — but maybe you would regard that as a violation of civil liberties!

As for Abrams, I never "supported" his spondylotherapy. This was some system of spinal massage which Abrams advocated and apparently dropped long before I ever heard of him. But it is a funny word and that is enough for you; so for ten years or more you have been saying that I advocated spondylotherapy. I did invite the medical profession to investigate the so-called electronic reactions of Abrams. Some of them did so. You were not among them — being as ever content with your prejudices. Probably you do not know that a committee of distinguished British scientists, headed by Sir Thomas Horder, then

physician to the Prince of Wales and now Lord Horder, set themselves to determine definitely the answer to one question: "Does anything happen?" Their answer, given without qualification, was, "Something does happen." Recent discoveries concerning nervous energies substantiate many of Abrams' claims, and I prefer to wait before deciding that Lord Horder and I were "idiotic".

You invite me to "play the game according to the rules". The question is, whose rules? My rule is to spend months, and sometimes years, in patiently collecting facts, and then present them honestly, stating both sides so far as possible. As a result of this practice, through almost thirty-five years of muckraking, I have made very few misstatements.

Your rules appear to be to have a brainstorm, and without paying any attention to facts, pitch in and slam out all the phrases you can think of without regard to anything except their being picturesque and startling.

The cause of social justice is being greatly helped by the fact that so many of its opponents have parted with their sanity.

UPTON SINCLAIR

Pasadena



My dear Sinclair:

You duck artfully, but not enough to get out of range. *Exempli gratia*:

1. You protested when the late A. Mitchell Palmer jailed Reds, but all the while you supported his boss, Wilson. In other words, you objected to the St. Valentine's Day massacre, but certified to the virtue of Al Capone.

2. The difference between Abrams' spondylotherapy and his electronic vibrations was the difference between tweedledum and tweedledee. Both were bald and shameless frauds. If you will produce evidence that Lord Horder, or any other reputable medical man, ever said that either would cure syphilis and cancer, which is what Abrams claimed for both, I'll stop mentioning your childish belief in his *bona fides*.

THE OPEN FORUM

3. You evade the question of your political sword-swallowing. What is to be thought of a great lover of the down-trodden who ran for Congress as a Socialist in 1920, for the United States Senate as a Socialist in 1922, for governor of California as a Socialist in 1926, and then popped up in 1934 as a lifelong Democrat, and entered upon negotiations with such professional politicians as Franklin D. Roosevelt and Jim Farley, and incidentally, was taken for a ride? What is to be thought of him save that he has learned, like any other chronic jobseeker, to rise above principle? What is to be thought of him save that the itch for office has got him down, and is burning him up?

According to news items reaching the East, you were lately running for something or other again. The people of California, it appears, turned you down, along with your brother messiah, Dr. Townsend. With the utmost friendliness, I can only say that I think they showed sound judgment. They have had plenty of chance to estimate both you and Townsend, and they prefer anybody else, including even Hoover. They refused to follow you as a Socialist, they refused to follow you as a Prohibitionist, they refused to follow you as an electronic vibrator, they refused to follow you as a thought-transferer, they refused to follow you as a Democrat, and now they refuse to follow you as anything whatsoever. The rule is that three strikes are out. To the bench, Comrade; to the bench!

H. L. MENCKEN

Baltimore



THE OLD DEALER

Poor old Bourgeois, cowed and shrinking
From the new, exotic thinking
That is oozing o'er the surface of our regimented
land:

That all patriots must holler
At a neighbor's extra dollar,
Must distinguish Sin and Virtue in the difference
of a Grand;

That each worker should be yearning
To decrease his yearly earning
To the level of the comrade who can't earn as
much as he can;
That the most admired heroes
Are the ones that lop off zeros
From their incomes so a coconut's no bigger than
a pecan;

(Continued on page vi)

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THE OPEN FORUM

(Continued from page v)

That the fortune poor men rush for
Is the same the rich should blush for,
As at least an indiscretion if not actually a vice;
That it's sinister and stealthy
To get caught at growing wealthy;
That the dollars on the prosperous should be re-
moved like lice;

There he stares in desperation
At this new birth of a Nation,
Where an income is a blemish and a fortune is
a shame,
Where the plutocratic pauper
Lolls in conscientious torpor
Manufacturing the deficits essential to his fame.

RALPH PULITZER

New York City



THE PULPS REPLY

SIR: Every season seems to be open season for everyone to snipe at those pariahs of the publishing world — the pulp magazines. Anonymous' article, "A Penny a Word," in a recent *MERCURY* is the latest of several attacks that have come to my attention during the past few months. Being the publisher of approximately ten pulps, I have been asking myself: "Are we as crummy a lot as they all say? Do we really pollute the public mind and rob the authors of their God-given genius?" I have even looked in the mirror: the gray hairs are multiplying rapidly, the widow's peaks are widening and deepening, but I see no horns as yet. Then for some reason best known to psychologists, the old adrenals begin to secrete in me, and, perhaps because I was a pulp writer once myself, I take up my old portable to fire back a few dum-dums in self-defense.

What, in brief, is Anonymous' indictment against the pulps? According to his own story, ten years ago he was a normal college graduate who would have gone into business where now he would be secure in his \$10,000 a year (probably \$20,000 in 1929 before his salary or profits had been cut by the Depression). But along came two evil influences, H. L. Mencken and Sinclair Lewis, who lured him away from the sanctuary of trade into the perilous paths of authorship. So to New York he came, to write pure, soul-satisfying literature — for the slicks. But again temptation beset him. This chaste

young *littérateur* could not resist the baubles offered by those cunning procurers — the pulp editors and publishers. Once seduced by the easy money and insatiable demand for his prostituted art, he found himself unable to fight his way back to artistic respectability.

Evidently this puling pulpster never absorbed that fundamental trait of all good pulp heroes — "guts"; rather he exhibits that "saffron streak a yard wide" with which, no doubt, he also rubber-stamped certain other characters in his stories at a penny a word. Not that we publishers in this bastard end of the magazine world have shown the "guts" of even the most anemic pulp hero, else we long ago would have struck back at these pusillanimous attacks launched against us by failures, ingrates, and intellectual snobs.

A failure Anonymous certainly is, as proved by his own admission that his earnings as a pulp writer have been under five thousand a year. Every pulp publisher knows dozens of word-slingers without any pretense to writing talent who make five and twice five thousand a year. Anonymous admits that with but little preparation or training he earned easy money writing for the pulps. Has it occurred to him that other professional men, such as doctors, lawyers, and engineers, earn little or nothing even after many years of intensive preparation? Knowing as he does about the vanishing profits of pulp publishing, does he appreciate the fact that while other professional men have found no demand for their skill and training, pulp writers never enjoyed so great a demand for their product as during the Depression? No — he whines about the low rates, about changing editors and changing editorial policies, intimating that there is stability elsewhere in the world today.

Intellectual snobbery, the refuge of the failure who would save his face at any cost, is nowhere better illustrated than in Anonymous' contemptuous characterization of the pulp audience as a mob of morons. He would have us believe that the 11,000,000 (not a mere 5,000,000 as he states) monthly newsstand buyers of pulp magazines are all morons. Since it is generally computed that every magazine sold has at least three readers, that would make the thirty-odd million pulp readers morons. Inasmuch as ninety per cent of all pulp readers are men, Anonymous says in substance that considerably more than half of

(Continued in back advertising section, p. x)



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I. AMERICA FACES BANKRUPTCY

BY H. PARKER WILLIS

FOR long years there has been a European adage that Providence protects fools, children, and the United States. This cynical belief in American luck represents the foreign conception of a gullible public ready to accommodate itself to such proposals as free silver, Prohibition, and, currently, the New Deal. Our own attitude, on the other hand, has been one of tolerant amusement, modified only by occasional astonishment at our endurance of the extremes of national folly. It is not surprising, then, that with such a background, the public should be apparently indifferent to what is unquestionably an

imminent catastrophe—the results of currency inflation.

The word *inflation* has been so much abused of late years that it has largely lost its force. Nevertheless, it has a perfectly plain significance and it represents an unmistakable danger which must become immediate within a very short time. That danger is a loss of confidence in American banks and in American currency, resulting in artificially high prices for goods, corresponding loss of purchasing power by wages, and deterioration of securities, insurance policies, and fixed investments of every sort. It is, of course, impossible

to predict the exact time when such conditions will openly appear, but the most probable date will be soon after the November election. It may be possible to hold the destructive forces of depreciation in check during the summer and early autumn; but, as affairs are now proceeding, it will be only a question of time before we suffer the same disasters that have visited other nations under similar conditions.

Even within very recent days, we have heard from ordinarily conservative quarters the opinion that the dollar is now "stabilized", that much greater conservatism and moderation are now in sight, and that there is no prospect whatsoever of further devaluation. These assertions have been accepted by the rank and file without apparent hesitation, thus confirming the belief that the nation at large is disinclined to arouse itself until it actually confronts the inevitable debacle, with federal credit exhausted beyond hope of recovery. It is, indeed, a tragic reflection upon our national intelligence that, as matters stand today, the savings, the insurance policies, the fixed incomes of every sort enjoyed by that part of the population which has made some effort to safeguard its future, should be in grave danger of disappearance—certainly of great diminution—as a result of financial policies pursued by the federal government during the past three years, and still undergoing extension.

Doubtless there are many persons who flatter themselves that while the "capitalist class"—those who have put aside anything in the way of protection for the future—may soon be stripped of their savings, the average man will find his status proportionately improved. But what these misinformed reasoners fail to comprehend is that if and as the savings vanish, there will be a corresponding collapse

of the nation's economic power, a reduction of opportunities for employment, and an ensuing era of general suffering.

The newspapers of today, according to their respective predilections, either enlarge upon the dangers of what they call printing-press money, or congratulate their readers that there is no immediate danger of inflation so long as resort to the printing press is avoided. This is a traditional attitude of mind, dating back two generations to the time when bank credit was chiefly in the form of circulating notes. The same obsolete theories are aired daily by politicians, industrialists, and even by assorted economists; but in most of this talk there is, as usual, an entire absence of practicality and a complete disposition to shirk the financial issues which are at stake in the government's policy. The vague and reassuring phrases referring to an increase, or a better distribution, of purchasing power (like those of two years ago which urged "priming the pump") have served to mask the fact that what is being done is simply this: the federal government is wasting the means belonging to the American public.

The philosophy of spending for recovery—the idea that saving is outmoded and has been superseded by "constructive consumption" and similar absurdities—has led not a few persons to believe that a totally new doctrine of money and banking has come into vogue. A number of responsible men, both in public life and out, declare that it is not only safe but wise to disregard the warnings of financial history and to recognize that we have entered a new financial era, and to act accordingly. It would be quite idle at this point to try to analyze or review these vaporings—as fruitless as it would have been to try to persuade the public of the unsoundness of the schemes of John Law, or the instabil-

ity of the South Sea Bubble in former centuries. As it happens, there is no need to discuss what may or might be the results of the current sort of inflation, or to speculate upon the probable results of a decision by the Treasury to issue greenbacks. The truth, whether we like it or not, is that this nation is already involved in a network of influences leading to inflationary currency degeneration and has been steadily working deeper into its disastrous meshes for some time. To understand the situation, only a brief scrutiny of the facts in our banking situation is necessary.

Shifting National Wealth Through Bank Credit

The fact that Americans generally are indifferent to the inflation peril is largely the result of bad habits in the past. Many a man who is reasonably prudent and farsighted in most activities has been in the habit of saying "charge it" whenever he could find a dealer who was willing to trust him for goods. In a great many cases, he has felt when he received his packages that the transaction was ended—for the time being. In recent years, this practice has broadened into the so-called instalment system, with its enormous provision for credit at high costs (inflicting upon not a few branches of trade immense losses due to poor credit, even in times of apparent prosperity). It has often been true in such periods—even though there was no acknowledged loss in the branch of business where instalment credit was the rule—that such instalments protected by chattel mortgages skimmed off the customer's principal resources and left him with an insufficient amount of current income to meet his unsecured debts, so that the effect upon the total body of credit was the same as if the losses had been in-

curred in the first place. Such failures of credit have unquestionably been much higher in the United States than elsewhere; yet they were not always the result of intentional dishonesty. They originated, rather, in an attitude of habitual optimism, coupled with a desire to have everything that could be bought. This disposition to purchase and leave settlements for the future has obviously created inaccurate beliefs in regard to national problems. The average man has obstinately refused to decry the growth of an abnormal government deficit, and he has been disposed to regard an Administration which demands billions with a tolerance which he perhaps would not have extended to one which made more moderate requests.

Today, we are reaping the results of this type of thinking. Under the influence of the spending policies and theories of the New Deal, we are giving the order to "charge it" on a national scale. The facts are unquestionable. What is worse is that national politicians and exponents of New Deal philosophy are well aware of the waste and extravagance implied in their program. Some of them have denounced certain phases of reckless spending, such as the recently sanctified Veterans' Bonus. Others have had little to say on this particular subject, but have defended the immense outlays involved in faulty systems of old-age pensions and social security. They have defended boondoggling, and have waved aside all criticisms of expenditure with the statement that free spending marks the road to recovery and prosperity. There has, however, been a decided check to their indifference in the matter of taxing the general public for the wherewithal to pay the bill. President Roosevelt has not listened to the demands of Congress that national expenses be met by pushing down the exemption from tax-

ation to much lower levels. On the contrary, it has been far easier for the New Deal to shift annual deficits to the banks, requesting that the latter stand ready to convert all demands into currency. If they run short, they are told to get more by recourse to the Federal Reserve banks, which have promptly printed the notes or marked up the purchasing power as "deposits" on their books. Both the Reserve banks and the commercial banks of the country have been filled with Treasury obligations and bonds, most of them nominally payable at some early date, but actually as impossible to settle (except by borrowing a similar amount elsewhere) as it would be to sell the entire area of the United States at a single auction. Hence, the banks have been asked to charge the cost of our present experiments to the future taxpayer. Should anyone question the financial methods thus employed, the New Deal politicians hold him up to view as a treacherous reactionary or a defender of Wall Street. By this technique it has been possible to avoid subjecting the public to further taxation; for it is still true that less than two per cent of the people pays income taxes.

While thus weakening the banks at the same time that it defends the policy of spending in excess of income, the government has been able to maintain an appearance of solidity in the financial structure. Mr. Roosevelt himself, in his annual message to Congress, referred to the national credit as being at its highest level. This could merely mean that government obligations are being sold at fancy prices, as measured in the devalued currency which has been voluntarily substituted by the New Deal for the former standard of value. So prone are the rank and file, even of the financial community, to take appearance for reality, that the restoration of

stock market activity and the enlargement of paper profits by various concerns has blinded many eyes. It is not too much to say that the most perilous element in the present situation is the deceptive appearance of soundness that has thus been produced. Controlling a fund of two billion dollars lifted from the banks and the public by the simple expedient of reducing the gold content of the dollar, and with extensive machinery for rigging the market, the Treasury has not hesitated to manipulate the values of its own bonds and notes. Indeed, the Treasury, in official statements, has admitted the spending in this way of fifty or sixty millions in a single month—the funds being used for "supporting the market"—notwithstanding that such maneuvers are forbidden to private citizens by the spirit, if not by the terms, of the Securities Exchange Act. In this way, so far as outward appearances are concerned, the banks are now holding the bulk of the Treasury's obligations, and are, month by month, reporting an increased volume of them as protection to the public's account, or "deposits", thus apparently possessing assets which can be sold for as much as was originally paid, or even more. In fact, not a few banks report alleged profits from trading in these bonds, and credit in their statements the results of such buying and selling at the artificial prices which have been fixed by the methods heretofore described.

These processes must be recognized as inflation in the most accurate and sincere sense of the word. They cannot otherwise be described. What America is doing is shifting the ownership of national wealth between social groups through the diversion of bank credit, leaving nothing but government obligations in the hands of the public to represent the actual wealth which has been taken from private citi-

zens. We need not pay the slightest attention to the fact that many bankers either do not comprehend the situation or are disposed to overlook it. They may assume, as noted, that they can dispose of the Treasury's obligations, but they know well enough that such sales can occur in any substantial amounts only between banks, and that even in such sales, success depends primarily upon the support or manipulation of quoted prices by the Treasury. Not only is it true that the world has never seen a situation of this kind on so great a scale, but it is also true that this process of inflation, whereby paper notes are substituted for real goods, subjects the nation to supreme danger.

Why, then, do the banks submit to such a wholesale looting of their resources? Well, it is very difficult, indeed impossible, for any institution to refuse to consider the wishes of its largest stockholder. Most persons have forgotten that the federal government, as revealed by the president of the Reconstruction Finance Corporation in an address at the bankers' convention in New Orleans, is the chief preferred stockholder in approximately 6000 banks—that is to say, about two-fifths of the total number of incorporated institutions. This percentage of control would run much higher were the comparisons to be confined to the active business banks located in the larger cities. In all, the government has spent about a billion and a quarter dollars in buying these great blocks of bank stock. Although such purchases are defended and sanctified by various officials as having been necessary to "recapitalize" banks at a time of panic and thus to keep them open, the methods employed are the same that have long constituted a major evil in American finance.

Formerly a group of financiers and sometimes a single man was able to buy

control of an institution. These men would then proceed to use the bank's loans and deposits for their own private purposes. It was because of this danger that the ten per cent restriction was long ago enacted, strengthened in 1933, and again in 1935. It prohibits a loan of more than one-tenth of a bank's capital and surplus, and it orders that no one investment shall exceed a corresponding figure. Nevertheless, today, American banks have been obliged by the insane demands of the Treasury (compelled to furnish the cash for public expenses) to purchase as much as sixty per cent of the total outstanding debt of the government—or about \$18,000,000,000. These figures, long ridiculed, were admitted to be accurate by the head of the Federal Reserve Board when a witness before the Senate Banking Committee a year ago. The total capitalization of all banks of the country, however, is less than \$6,000,000,000. Our financial institutions, in other words, have three times their capitalization in the form of obligations of one particular client—in this case, the United States Government. This is thirty times the amount indicated by law as the maximum amount of paper to be held by a single maker. The policy is thus in outright disregard of the laws which have been enacted for the safety of the banks, and amounts to appropriation of their resources. If this is not inflation of the most bare-faced sort, what is it?

Capital System Undermined by Greenback Deposits

It would be unhappy enough if the government were merely eviscerating the banks' properties by taking their assets, largely against their best judgment and disposition. But, what is worse, preparations are now being made to undermine

the entire credit and capital system of the country. When a bank purchases United States bonds from the Treasury, it merely credits the government with the value of the securities; in other words, it establishes a deposit account for the purchasing price. Then the government draws checks upon the sum so created, either directly against the bank, or against the Reserve bank of the district after the balance has been transferred. Thus, the apparent means of payment in the community are steadily enlarged in the form of "deposits". The effect is much the same as if the government issued a similar volume of greenbacks or legal tender notes, and put them into national circulation. In short, this is fiat credit—credit which is supported by no new or current values. It rests entirely upon the capacity of the government to pay its debts at some future date, which may never arrive.

The New Deal hierarchy, however, has not the slightest intention of so paying. Mr. Roosevelt has told the country that it can bear a debt much larger than the present one—probably twice as large; and his Administration is proceeding with current deficits that are certain to result in such a debt before many years have passed. The public works projects now afoot, the bonus theft, the social security subsidy, and other schemes will, before long, raise the debt to maximum levels. Meanwhile, there will be no prospect of a federal surplus, hence no meeting of the obligations already foisted upon the banks. The latter are thus left to "hold the bag", a bag filled with frozen paper. These are the "securities" which are now being utilized as the basis of inflation, just as truly as if Mr. Morgenthau's janizaries were printing currency and circulating it.

A good many complacent persons are disposed to regard this situation as one

about which the banks may very well worry if they have a mind to, but one in which the public has only slight concern. For are not all bank deposits now insured—at least, those up to \$5000? Perhaps; but how many citizens have looked into the balance sheets of the Federal Deposit Insurance Corporation? Alarmingly few. Those who have done so have discovered to their dismay that the corporation now holds, out of total resources of some \$340,000,000, about \$320,000,000 in government bonds. The major function of the FDIC is an extraordinary one, *i.e.*, it undertakes to protect banks from the consequences of their chief danger—the over-purchase of federal securities—by the simple expedient of buying more of the same obligations for its own account. In such happy circumstances, should a time of great stress come over the monetary and banking system of America, the sum total of the FDIC's assistance will be exactly that of all the other New Deal monetary experiments—precisely nothing.

The truth of the whole matter is that the entire public is deeply involved in ways other than that of a bank stockholder, or even a depositor. It is involved because America now supports a non-descript money system in which there is no metallic backing. Not a single dollar is redeemable in anything but paper. You may exchange a \$20 bill for four \$5 bills, or *vice versa*, but that is all. Translated into plain language, this means that as each day passes, paper money loses in fundamental value. Each month the government dumps its current deficit into the banks, adding it to "assets", and thus the banks' outstanding credit—what is ordinarily called "deposits"—has correspondingly less behind it. Glance back over the deposit figures for the past few years and see how they have increased:

in midyear of 1933 they were 37.9 billions, at the close of the year 38.5; at midyear 1934, 41.8 billions, at the close of the year 44.7; at midyear 1935, 45.7. When the figures for the end of 1935 lately became available, they showed a total of about 49 billions, a truly astounding figure. The Comptroller of the Currency and Mr. Roosevelt have proudly referred to this "growth of deposits" toward the level of 1926 as a certain sign of returning prosperity. The deposits they refer to, as I have indicated, have nothing whatever to do with wealth, but are merely the results of printing vast quantities of crisp government bonds and writing their "values" in figures in bank ledgers.

Here, plainly, is inflation of a subtle and most vicious kind. It will be passing strange if the public, both here and abroad, does not ultimately lose confidence in the currency, with the result that prices will be boosted artificially, not alone to the level of 1926, but perhaps toward the soaring heights reached in Germany following the World War.

How far can this situation progress in America before an open break occurs? Perhaps through the current year, until the Presidential election has been decided. But after that—the deluge. Nothing now visible can halt it if we continue our present fiscal policy. Unless our program is sharply changed, the collapse will come—a confession of the insanity of the whole New Deal credit system.

The Average Citizen Will Pay When the Deluge Comes

The United States now has an estimated national income of about fifty billions and an annual tax load of ten billions. According to the most accurate sources, the nation in 1932 had a savings margin, or sur-

plus over expenses, of perhaps six billions. But today, on a like basis of estimate, it seems apparent that the real savings margin is negligible as a result of mounting deficits in national and state governments. Thus it may not be long before the increase of fiat credit overtakes and exceeds it, leaving the margin a negative figure. So soon as the public realizes that the government is issuing credit against a total of national wealth which is being depleted yearly, the depreciation of currency can no longer be deferred. It may quite easily become manifest before the time I have mentioned above. In any event, the average citizen is indubitably involved in the whole sorry mess, and the sooner he comprehends it, the better it will be for all concerned.

Many persons blindly support the New Deal and call for a constructive program in national government, asking their critics: "What would you do if you were in office?" They admit incidentally that much money is required to underwrite this constructive program of which they speak. How, they ask, is it to be obtained if not from the banks? Apparently they think of the latter as great holders of what they call "money", although they must be aware that any money the banks possess is the property of depositors. It is this very confusion of ideas that makes the entire situation so alarming. It is the same confusion that has always prevailed with regard to the policies of every absolute government in history. Dictators invariably—whether in Italy, Germany, Russia, or Mexico—have first of all gone to the banks for the money they needed; that is to say, to the depositors of the banks. They have operated upon the simple assumption that it was better and safer for them to sack the banks than to get what they needed by public taxation. Mr. Roosevelt,

in his campaign speech at Pittsburgh when a Presidential candidate, on October 19, 1932, complained of this tendency as exemplified, according to him, by the Hoover Administration. He then said:

You know as well as I do that this Administration's claims that it has provided credit for industry and agriculture by pouring credit into the banks are not frank. Commercial credit has continuously contracted and it is contracting now. Most of this new government-created credit has been taken to finance the government's continuing deficits. The truth is that our banks are financing these deficits and that the burden is absorbing their resources.

What Mr. Roosevelt said at that time is doubly true today. In fact, events have made it much more emphatic than in 1932, because of the increase of federal outlays and the enormous growth of deficits. The banks not only hold no money that does not belong to the public, but when they give it up to the government for excessive issues of bonds, they reduce the funds that are available for public use, and at the same time draw nearer to the time when depreciation of the currency will absorb the accumulations of the public as well as whatever else it may possess outside the banks.

If the government needs funds, it should procure them directly from the people by the obvious and honest method of public borrowing, or through taxation. During the World War these methods produced \$25,000,000,000 in less than two years. Today, with two-fifths of the banks already under its control through ownership of stock, the government can cer-

tainly follow a similar procedure or devise another that shall be similarly effective though more costly in interest. But as things now look, the New Deal politicians, firmly entrenched as they are at the national trough, plainly have no intention whatever of giving up their places and permitting the banks to occupy a legitimate position in public financing. On the contrary, they evidently have every intention of following the program pursued by Lenin and the Bolsheviks in Russia—that of getting money from the banks in order to destroy their business and that of their stockholders. The Russian Soviet leaders knowingly and deliberately sought to destroy the currency and to bring on a collapse of the entire structure of finance and industry. A survey of the policies of the past three years in the United States indicates a close parallel between Russian and American technique, which implies a similarity of philosophy. The chaotic results which followed in Russia (and which led even there to an inevitable reconstitution of banking) seem to be threatening here.

How long will the average American permit the continuance of the present New Deal credit and fiscal policy? This is impossible to predict. What is certain is that genuine inflation of credit, with the inevitable unsoundness and peril of ultimate collapse, is fast getting beyond the control either of the government, the banks, or the people. That the citizen will pay in the end for this whole costly and purposeless business is as certain as anything in this world can be.



II. THE CONSEQUENCES OF INFLATION

BY EDWIN WALTER KEMMERER

VISIONARIES and dreamers, since the beginning of time, have been proposing schemes for getting something for nothing, simple plans for making everyone rich without the annoying necessity of hard work. Yet, up to the present, even their choicest divinations have proved dismally unsuccessful. Perpetual motion is still in its infancy; lifting oneself by one's bootstraps remains a futile undertaking; and remarkably few rabbits are being pulled out of silk hats in which they have not previously been secreted. Somehow, natural laws continue to be stubborn and inexorable.

The esoteric profession of crystal-gazing, however, has rarely known such a boom as it enjoys in America today. And the favorite panacea of the visionaries of 1936 is the ancient cure-all of making everyone rich by means of excessive issues of paper money and of circulating bank credit; in other words—inflation. The getting-something-for-nothing idea is now merged into modern economics *via* the simple and attractive plan of financing government expenses largely by expanding circulating bank credit. At the moment, such a program is not only widely endorsed, it is actually in effect.

Now it is difficult to predict with exactness the consequences of the New Deal financial policies. But this much can be said with certainty: if the present rate of government spending and creation of huge budgetary deficits long continues, the full force of inflation such as most of the belligerent countries of Continental Europe experienced after the World War will inevitably hit the United States. The

radical inflationists whose harangues now sway the multitude are not, however, embarrassed by this fact; nor are their enraptured followers burdened with a comprehension of it. Hence, there is little use reiterating here the fundamental truths involved. But it may be profitable to examine some of the popular fallacies now widely accepted by these inflationists and subscribed to by their credulous converts. The misconceptions are:

First, that the penalties of heavy inflation may be easily avoided by sending money abroad, by buying common stocks or real estate, and by other supposedly far-sighted schemes.

Second, that the ten-billion-dollar gold reserve now reposing in the federal Treasury is an adequate protection against inflation.

Third, that government can be indefinitely financed by inflation.

Fourth, that the next generation can be made to pay the bill for the vast debts created by the inflationary policies of this era.

Fifth, that inflation can be easily controlled.

These five delusions are widely accepted today in all parts of the Republic. In the following discussion, I will expose the fundamental fallacies in each.

The Penalties of Heavy Inflation Cannot Possibly Be Avoided

One of the worst phases of serious inflation is the desperate and usually unsuccessful attempt of the investor of moderate means to conserve his savings. Caught in

the swirl of a rapidly depreciating currency, with the usual rules for preserving savings abrogated, the small investor finds no one to whom he can safely turn for advice. The very government whose securities he normally trusts is the instigator of the trouble, and is itself floundering in the inflation mire which it has created. With currency values depreciating rapidly, investments payable in fixed amounts are obviously dangerous. High-grade bonds, mortgages, preferred stocks, savings accounts, even hoarding, offer no solution. Who today, for instance, cares to invest a one-hundred-cent dollar if the prospects are strong that he will be repaid in a dollar worth sixty cents, thirty cents, or even less in the not long-distant future? Who wants to buy endowment insurance or annuities under such conditions?

Unfortunately, the man of moderate means has little choice. What else can he do? The government will not let him hoard gold; it is now a crime, in this great free Republic, to possess United States gold coins. If the investor turns to stocks he is faced with many difficulties, not the least of which is to know what stocks to buy. For periods of serious inflation are generally periods of radical governmental policies, tending always toward interference with business and arbitrary price-fixing. Hence, stock prices are often based less on real earnings than on speculation as to the future governmental policies. Nor can the investor find a safe haven in real estate: if real estate investments are usually speculative in normal times, they are definitely more so in times of serious inflation. Taxes are generally advanced rapidly, while the fact that wages during such periods nearly always rise much less rapidly than the cost of living, leads governments to peg rents artificially and to protect tenants against eviction.

Finally, the man of moderate means is virtually helpless in getting his capital out of the country if he wants to invest it abroad. He is not familiar with foreign investments, and even if he were clairvoyant enough to select a foreign country which would remain financially sound, his own government would prohibit him from exporting capital. If he had succeeded in shifting his liquid assets abroad either before the government's prohibitions on the export of capital were imposed or subsequently by evading these prohibitions, the government could force a return. If you doubt this, study the experiences of the leading countries of Europe during the period of post-war inflation, including Great Britain, France, Germany and Italy, or examine the Italian decrees of December 14, 1934, and February 16, 1935.

In this connection, consider the experiences of a prominent American businessman who recently visited Europe to study the effects of post-war inflation. This investigator conferred with eminent financiers and industrialists in various cities, asking each man what he had done during the inflationary period to preserve capital, how he had succeeded, and in the light of his experience, what he would do if he were again confronted with the problem. As a result of these interrogations, it was discovered that, first, in no country which had experienced serious inflation was there any financier who could prescribe a safe plan to preserve capital; and, second, that of all the people questioned, the person who had conserved the largest proportion of his pre-inflation capital had saved only thirty per cent. The men who had undergone these experiences were not persons of small or moderate means: they were leading businessmen and financiers.

Thus, if it is impossible for the wisest

and wealthiest to escape heavy losses during a period of serious inflation, the prospects for those of small or moderate means are dismal. Monetary history is emphatic in teaching that the most acute suffering from inflation is borne by the great middle class.

It is widely rumored today that the safe-deposit vaults of a number of banks in London and elsewhere are bulging with gold deposited by Americans seeking refuge from inflation. Such a recourse, however, is by no means safe. The gold may very well be seized by the government of the country in which it is deposited, as was done only recently by the United States in the case of a large sum of American gold coins placed by a foreigner, a resident of Europe, in a safe-deposit vault of a New York bank. Or the exporter's own government might compel him to bring the gold home, under heavy penalties, and to exchange it at par for depreciated paper money. Governmental demands for sworn statements from citizens as to the whereabouts of funds, governmental inspection of bank records, and governmental co-operation with foreign powers in tracing such transactions, afford effective means of compelling the return of any wealth concealed abroad.

Thus it is obvious that in times of serious inflation, no investment is even moderately safe; and no manner of exporting capital to avoid penalties offers any sure protection.

Inflation Cannot Be Prevented by a Large Gold Reserve

The billions upon billions of dollars which the government has been borrowing have not been obtained in the old-fashioned way of selling federal bonds to the people

to be held as investments in safe-deposit vaults. The money has been obtained for the most part by sale to the banks of short-time government obligations. The economic and political results of these two kinds of borrowing are vastly different.

For example, when \$100,000 worth of bonds is sold at par, the private investors pay the government \$100,000 that they presumably would otherwise have placed in the capital market as investments in private securities, deposits in savings banks, or purchases of real estate or merchandise. Under these conditions the government, rather than private enterprise, receives \$100,000 more; private enterprise has at its disposal \$100,000 less. Under the present plan, however, the government creates by the sale of its notes and bonds to the banks the very credit which it uses, getting the money by a method that does not at the same time take it away from the other fellow. A bank, for example, with enormous excess reserves, created largely because of the government's cheap money policies, gives the government \$100,000 deposit credit in payment for \$100,000 of the government's short-time notes. The government draws checks against this deposit as it wishes and pays the checks to various people in the purchase of supplies. The recipients of the checks deposit them in their own banks which in turn deposit them in their respective Federal Reserve banks. The \$100,000 in government notes has thus been converted into a \$100,000 reserve bank deposit, which, under favorable conditions, would serve as a sufficient monetary base for expanding deposit currency credit up to something like ten times its amount, or one million dollars. This policy, when long continued under a currency system like our own, spells inflation; for it means that the supply of money and of circu-

lating deposit-credit is being increased at a rate faster than the demand, as represented by the physical volume of business to be done.

Of the total national government debt today, both direct and guaranteed obligations, about fifty-five per cent is held by the banks, and these banks have absorbed \$5 out of every \$6 of the additions that have been made to the national debt since June 30, 1930. Forty per cent of the total loans and investments of all the member banks of the Federal Reserve system on November 1, 1935, consisted of government obligations. At the end of February of the supposedly normal year 1926, approximately twenty-seven per cent of the total bills and securities owned by the twelve Federal Reserve banks consisted of government debt. But at the end of February, 1936, that percentage was 98.4. This is the way we are financing our huge government deficits. It is, as every student of monetary history knows, the broad highway to inflation. If you doubt it, study the post-war financial history of France, Belgium, Italy, Poland, Austria, and Germany, bearing in mind that there is no fundamental difference between inflation brought about through the issue of greenbacks constituting government debt, through the issue of bank notes secured by government debt, or through the creation of bank deposits which circulate by means of checks and which arise from loans secured by the same government debt. In each case the media of exchange are secured by the government debt, which in turn is payable at par in the media of exchange. Under such conditions, so long as the expansion of the currency is not held in check by convertibility, the sky is the only limit of inflation.

And here we are confronted with the second common fallacy now given wide

credence. This is the belief that possession of the largest gold reserve in the world protects America from serious inflation. The inflation bloc in Congress is continually agitating for a large expansion of the currency on the basis of "enormous gold and silver reserves", in lieu of increased taxes for meeting extraordinary government expenditures such as the prepayment of the veterans' bonus, expenditures for relief, and farm bounties. Yet even scant knowledge of long-established principles of monetary science and of the outstanding historical facts in the world's distressing experiences with inflation demonstrates that the monetary theories underlying this reasoning are false.

First, remember that most of the European countries which suffered serious inflation in the post-war period retained substantial gold reserves. Let us illustrate the principle by an extreme case. During the months that Germany's currency was plummeting and until it was ultimately stabilized at the rate of one trillion paper marks to one gold mark, the German central banks held substantial gold reserves. These reserves were not used, however, because all money was inconvertible. A gold reserve that is kept idle and is not actually paid out in redemption or exchange for notes and deposits is of no practical effect: as a reserve it is dead. On December 31, 1923, the gold value of the 497 quintillion paper marks then in circulation (exclusive of emergency currency), computed at current Berlin-New York exchange rates, was equivalent to 457 million gold marks, and the gold reserves of the two banks issuing this currency were about 1900 million gold marks. In other words, the market value of the gold reserves was over four times as large as the gold value of this astronomical volume of paper money in circulation. But

how long would 1900 million gold marks have lasted if the Reichsbank had offered to redeem paper marks at par in gold? At a par rate, a single one-trillion-mark note, then worth about twenty-four cents in United States money, would have required a gold payment more than five-hundred times as large as Germany's entire gold reserve. Thus the reserve, because it was not and could not be used, was of practically no value.

Similarly, when the United States went off the gold standard in the spring of 1933 and started down the skids toward the fifty-nine-cent dollar, it had by far the largest gold reserve of any country in the world. How certain a guaranty against the dangers of serious inflation, then, is our present ten-billion-dollar reserve which must support not only approximately six billion dollars of paper money and underweight silver in circulation, but in addition over forty billion dollars of bank deposit currency?

Inflation Cannot Indefinitely Finance the Government

If an individual persists in spending more than his income, he finally becomes bankrupt, his property is sold, and the proceeds are distributed among his creditors. The situation, however, is very different when a government spends beyond its income. To meet its accumulating deficits a government must borrow more and more: technically speaking, it never goes into bankruptcy on account of its domestic debt. Why this difference?

It is because a government, by reason of its power over a nation's money, in terms of which its own debts as well as those of the people are payable, is able in times of pressure to reduce or even to wipe out all its debts without appear-

ing to do so and without becoming legally a bankrupt. This it does through inflation and the payment of debts with a greatly depreciated money. When, for example, an individual goes into bankruptcy, he may pay off his creditors at thirty cents on the dollar; when a government inflates its currency, it may pay its creditors in thirty-cent dollars. But from the standpoint of what the creditors receive there is no difference. In this manner the majority of European countries have been paying off their war and pre-war domestic debts, nominally in full but actually at only small fractions of the original values. The earlier long-term national debts of Germany, Austria, and Poland, for instance, were nearly eradicated in this fashion. Similarly, but through a milder inflation, the present war bonds of Italy, France, and Belgium have had from seventy-three to eighty-five per cent of their gold values destroyed.

There is one important difference, however, between the act of the individual in scaling down his debts by going into bankruptcy and the act of a government in scaling down its debts by inflating the currency. The bankrupt private debtor merely reduces his own debt, while the government reduces not only its own debts but also the debts of everyone else; for all obligations are payable at par in the depreciated currency. Thus, though inflation has an important bearing upon the relationship between wages and the cost of living, upon the flow of goods in foreign and domestic trade, and upon virtually every other important phase of economic and social life, its chief effects are expressed through its influence on the relation between debtors and creditors.

By lessening the value of the dollar, inflation tends to benefit debtors and to harm creditors. This applies to all kinds

of debts, but particularly to long-time obligations such as bonds and mortgages. It applies equally to the debts of governments, to the debts of individuals, and to those of all corporations. Inasmuch as the largest single class of debtors in the United States consists of corporations and as the principal debts of these corporations are in the form of bonds, we may perhaps best use for illustration the corporation debtor on bond account.

Inflation raises the prices of the goods and the services a corporation sells, but does not increase its indebtedness. The corporation pays its obligations at par in cheaper and cheaper dollars which it receives in increasing volume as the prices of the products it sells rise (as they do unless for some special reasons they are abnormally depressed). Prospects of inflation are prospects of rising prices and of being able to pay all one's debts in continually depreciating dollars. Under such conditions many doubtful debts may become good debts; but all of them, good and bad alike, become payable in a depreciating money.

Since a corporation stockholder is its proprietor and owner, and is, therefore, the debtor, and since the bondholder is a creditor, when the corporation pays its debts to a bondholder in a cheaper and cheaper dollar, the stockholder tends to gain what the bondholder loses. As the dollar depreciates, the dollar income of the corporation tends to rise and likewise the dollar value of the corporation's plant and equipment, and of all income and outgo, except that represented by the payment or receipt of interest and principal of debts. The face value of these obligations, however, and of the contractual interest rates remains unchanged. If, for example, the dollar in which a corporation debt was payable was originally worth one-hundred

cents gold and is now worth but thirty cents, the obligation still calls for the same number of dollars and the same interest rate. Under such conditions, therefore, the stockholder tends to receive not only what would naturally revert to him as the price level rises, but in addition what the bondholder loses.

The idea is fondly entertained in many places that the creditors in the United States are mostly bloated bondholders and that the debtors are mostly farmers and home-owners struggling to pay their mortgage debts to Shylock creditors. Nothing could be farther from the truth. The greatest group of debtors in the United States (on long-time account) are not the farmers with their eight billion dollars in mortgages—a sum equalled by the real estate mortgages of New York City alone—but the stockholders of corporations with their thirty-odd billion dollars of bonded indebtedness. The greatest creditors are the people who own these bonds. A large part of our bonds and mortgages is owned by insurance companies against approximately 100 billion dollars of outstanding life insurance on 115 million policies (inclusive of industrial policies); by savings and other banks; by corporations and governmental bodies in their pension funds; by hospitals, universities, colleges, and other scientific, charitable, benevolent, and religious institutions in their endowment funds; and by widows and orphans and other beneficiaries of funds held in trust. The creditors in these cases are usually our most conservative investing classes—classes whose welfare is a matter of such great social importance that we protect them by special trustee laws restricting the investment of trust funds to a limited and supposedly safe field of investment. In these restrictions, high-grade bonds and mortgages are favored

and investments in equities like common stock are usually disfavored. This policy is enforced by law, custom, and public opinion. These trustee securities, however, are the very types of securities which are hit hardest by inflation.

Since the United States went off the gold coin standard in the spring of 1933, commodity prices have been rising while the gold value of the dollar has decreased by forty-one per cent. Although all classes of securities have moved upward during the last three years, it is the common stocks which have advanced most and the highest-grade bonds which have advanced least. The rise in common stocks on the average has been much more than sufficient to compensate for the decline in the value or purchasing power of the dollar in which they are payable, but the advance in the prices of high-grade bonds on the average has not been sufficient to compensate the owner. With reference to experiences on this score in the countries of Europe which suffered serious inflation, Dr. Walter S. Landis recently declared:

Under the laws of certain European countries, savings banks, life insurance companies, and the trustees must invest funds in their control in the so-called gilt-edge or "legal class". In general these classes consist of high-grade first mortgages, state and municipal bonds, and bonds of railroad companies and other industrials of a certain superior type. The law actually required this. During a period of inflation, it is exactly these types of securities that suffer the most. . . . The law actually destroys the very foundation of these preferred savings and trust funds.

. . . In other words, the Government with one hand destroyed the value of the money, which is equivalent to saying it destroyed the value of the very securities that it had required trustees, insurance companies, and savings banks to invest in. Exactly that same situation exists here in America today. Can you imagine anything

more vicious than the Central Government in Washington destroying the value of what the several states absolutely require the trustees to invest in?

It should be obvious from the foregoing that government cannot long be financed by inflation without causing great harm to those who most need protection.

The Debt Burden Cannot Be Passed Along to the Next Generation

Exclusive of charges for retirement of the national debt, federal expenditures in the Republic for the four years ending June 30, 1937, will be approximately twenty-nine billion dollars, according to conservative estimates. The revenue receipts will total seventeen billion dollars. In other words, during a period of four peacetime years, the national government will have spent seventy per cent more than its revenue, representing an average annual deficit of approximately three billion dollars. With the possible exception of war-ridden Italy, no other important country in the world has expanded its national debt at any such rate during this period of world depression. The total expenditures of the federal government during the four years of the present Administration will exceed by something like four billion dollars the twenty-four-and-a-half billions expended during the 124 years from the inauguration of President Washington to the end of the term of President Taft. The deficit for 1937 now gives promise of being greater than that for 1936. There is no end in sight.

The currently-popular palliative to the stunning impact of these figures is the widespread belief that a government countenancing expenditures continuously in excess of its revenues, and which through deficit financing piles up a large public

debt, passes the burden on to future generations. Our children, we are told, and our children's children must pay the penalties of present-day extravagance.

But the truth is that, while our children will doubtless suffer in many ways, and while the amount of wealth they will have will be profoundly affected, the New Deal debt will not fall on their shoulders. The present generation must carry the burden of its own grandiose expenditures. This is true because when we pass a debt on to future generations, we likewise pass on the corresponding credit: for example, if the present Administration incurs a national debt of twelve billion dollars, it is certain that future generations will have to pay interest and amortize principal to the extent that the debt is not wiped out by inflation, yet each succeeding generation pays both the interest and the principal *to itself*. The government collects in taxes from the next generation the money required for servicing the debt, but it also pays this money in turn to the people of the next generation who hold the bonds. In fact, in many cases the people who pay and the people who receive will be the same, since every bondholder will presumably be a taxpayer.

There is no question, however, but that extravagant government expenditures, by interfering with the orderly working of our economic machinery, reducing production, interfering with distribution, hastening the obsolescence of industrial machinery, destroying incentive, undermining character, and depriving youth of its normal opportunity for education, will gravely injure the heritage we pass on to our children. It is likewise true that deficit financing involving the creation of a huge public debt may bring about great changes in the distribution of wealth and thereby

unjustly benefit the children of some of us and harm the children of others. It is not true, however, that this generation can pass on to future generations the burden of the debts now being piled up.

Inflation in the United States Cannot Be Controlled

We hear much about "controlled" inflation — as if inflationary forces could be turned on and off by the government at will. Yet history shows that inflation once started is the most difficult tide in the world to control. The resort of a nation to financing by inflation has aptly been compared to the resort of an individual to opium smoking: the first sensations are pleasant, but the more one takes, the more one wants; the appetite grows by what it feeds on, and the more one indulges, the weaker become his powers of resistance. There have been many instances in history in which for substantial periods of time — in some cases running into years — inflation was moderately well controlled, as it is being controlled today in England and Sweden, but never, so far as I know, has an inconvertible paper money standard been an enduring success. Sooner or later it breaks down with disastrous results.

If, for illustration, we assume that inflationary policies of the future, piled on top of those of the past that have produced the present fifty-nine-cent gold dollar, should ultimately reduce the gold value of the dollar seventy-five per cent below the original figure, then America would finally stabilize at a twenty-five-cent gold dollar. The depreciation would, therefore, be something like that which took place in the countries of moderate post-war inflation, such as France and Italy. On those assumptions, all credits in the

United States would be payable in twenty-five-cent dollars. These credits include all life insurance policies, all bank deposits, all pensions, and the greater part of the endowment funds of colleges and universities, of medical and scientific research foundations, and of public libraries and hospitals. When extravagant government expenditures are financed through inflation, the government pays them to a very large extent out of these social welfare funds. This is a terrific price to charge the American people for the small benefits they have been receiving.

According to the studies of the Duke University Endowment, German life insurance assets declined in gold values, chiefly as a result of inflation, more than ninety-three per cent from 1913 to 1924. Of the charitable endowments in Vienna in

1914, only about six per cent remained in 1927. In France with its milder inflation, the Debrousse Charitable Foundation experienced a reduction in the gold value of its interest income of seventy-eight per cent from 1920 to 1932, a decline due almost entirely to inflation.

There is, then, only one solution to America's problem, and it is an old-fashioned one. But it demands prompt adoption. It is: *balance the budget*. Government expenses must be cut to the bone. If that does not suffice, the difference must be met by increased taxes, consciously paid and equitably distributed among all classes of people, rich and poor alike. The policy of destroying savings, investments, and public welfare endowments in an orgy of extravagant public spending can have but one result—financial chaos.



AGAINST MOUNTAINS

BY JOSEPHINE JOHNSON

How did I ever think me a child of the hills?
 I who am restless and torn and tormented and driven,
 Mutable still as the wave the tossed sea-water spills,
 Swayed by the wind and the moon, by the hurricane riven.

Mountains are silent and old. Not theirs is the eager
 Wild surging of life. They have listened long since to a Word,
 And uplifted and frozen they stand. Though you come as a beggar,
 Though you beat on their breasts with your hands they will not be stirred.

Their garment is peace. The hem of their garment is heavy
 With silence and sleep. The tired heart hushes and stills,
 But my heart is eager and wild. It cries out. Oh, not yet am I ready
 For your passionless calm, gray hills!

WHAT RELIEF DID TO US

ANONYMOUS

THE members of my family are on Relief . . . put there, not by the Depression, but by the Roosevelt Recovery. They are a typical American family. Their story is the story of thousands of other American families. The Depression brought them face to face for the first time with insecurity and fear. In the end, weary, frustrated, and bewildered, they surrendered their decency and self-respect for the false security offered by a bureaucratic government. Today, they are ruined—in mind and soul, if not in body.

They think of themselves, of course, as victims of the Depression. They have long since forgotten that they were ever, at any time, anything else. When my friends discuss me they remark in that hushed tone reserved for the recently deceased or the recently insolvent:

"She comes from such a nice family. They were ruined by the Depression. Isn't it horrible?"

Ruined by the Depression? I thought so in the very beginning. I thought so later when none of us had a job. I thought so when my mother and two brothers and I were living from hand to mouth—and not doing it prettily. I certainly thought so when I was washing dishes in a greasy little restaurant. But I didn't really know what was to come.

True, the Depression ruined me and my family *financially*. It stripped us of our protective "nice people" covering and flung us upon our own inherited, in-

grained resources. It tossed us out into a realistic world we didn't know, unprepared, mentally or vocationally, to face it. We were, in every sense of the word, babes in the wood. But at first, we possessed courage and vitality. We put our shoulders to the wheel and fought the Depression, fought it fiercely.

Then came the inevitable emotional collapse—and recourse to government charity. This was the end. Relief ruined my family. It destroyed their morale, and emasculated their courage.

II

All my life, before the Crash, I had sat docilely in churches, schools, and lecture halls hearing myself and my family called the backbone of America. I believed it. We owned the right kind of house, the right number of cars. We went to good schools and knew the right people. A very comfortable way for the middle-class backbone of America to live.

So that when, in the fall of 1929, I received a telegram from my elder brother, Michael, telling me the family could no longer afford to educate me, I was indignant. I had heard little of the Depression, and besides, I concluded, such things didn't happen to important vertebrae in the backbone of America.

The first sight of home was reassuring. Fall flowers, bright zinnias and great orange calendulas, bloomed in the well-

kept yard. My mother greeted me quietly in the lovely, long veranda room. The younger of my two brothers, John, appeared to be as golden-haired, charming, and reckless as ever. Michael could still have posed for a super-shirt advertisement. Annie, the excellent cook, rattled pots and pans in the kitchen and from that kitchen came the unmistakable odor of rib roast. It wasn't until we had done full justice to the roast that Michael explained.

The flourishing business my father had left us was bankrupt. The three and four per cent bonds he had been careful to purchase had been used, Mother wistfully admitted, to play the boom stock market. John still sold luxury automobiles, but nobody bought them. Annie hadn't been paid for a month. And no one knew quite what to do about it.

So we let things slide. We went on living, much as we had before . . . except that we lived on credit and loans. Even when creditors began to ask for a little cash and affluent friends grew less affluent and refused loans, we didn't realize our position. Mother was merely hurt.

"Why," she would say, "they always pretended to be friends of your father's."

Finally, with little money and few assets, we were forced to face the cold, hard facts. We couldn't pay our bills, we couldn't go on day after day meeting increasingly churlish benefactors, and, above all, in a town where our position was as "assured" and as decorative as the façade of the First National Bank building, we couldn't abandon our standard of living. Plainly our only resort was flight. And so, avoiding friends and creditors, we left town in our last automobile.

We were not escaping. We were merely stunned. But one night a careless, gay remark tore through the thin wall we had

erected between ourselves and reality. The desert moon hung low over the tourist camp where we had stopped for the night . . . our last night on the road. Michael crouched before the open oven, his face orange in the light, holding a still definitely expensive steak before the flames. John, biting his lower lip in concentration, tried to pull the bubbling coffee pot to a cooler place. Michael arose laughing.

"John," he said, as he put the dripping steak in the platter, "I'll bet you'll be the handsomest man who ever sold razor blades and guaranteed ten-cent ties on a street corner."

We all laughed.

"Why, Michael," Mother said gently, "we surely can take care of ourselves better than that."

"Somehow," I thought, as I watched her lay the fresh luncheon cloth on the rough, board table, saw her smooth hands arrange the second-best silver in familiar pattern, "we can . . . and will."

III

It was fun looking for an apartment we could afford. When we found one—three rooms with an extra folding bed—and moved in, Mother bought ten cents' worth of flowers. While she arranged them in a kitchen glass we mimicked her childhood admonition: "You mustn't, under any circumstances, go into each others' rooms unless you are invited."

The next morning, brave and confident, we all set out to find jobs. But we didn't find jobs that day. Or the next. Or the next.

The weeks dragged into months through most of 1930 while we lived the familiar story of the Depression. The car was sold. Mother's cherished silver soon followed. The money we received from these re-

newed our confidence temporarily. We were jubilant when we got odd jobs, John tinkering with neighbors' automobiles, I filling in form letters.

Mother "discovered" the basement of the great public market where day-old vegetables could be bought at bargain prices. The flowers gave way to wild grass that shone softly green through the clear vase. Mother cheered us with our favorite dishes and scolded us when we came home at night feeling, and looking, hopeless.

I smile faintly now to remember those strange months after the money really was gone. Somehow we lived. We left the tiny apartment we had thought so delightfully comical and moved into two basement rooms where the gas plate and top-stove oven leaned crazily against one of the beds. I sold my boarding school graduation dress and cried a little when an Italian woman, with a bristle of black whisker along her jaws, bought it to be married in. I wrote publicity for various "benefits" that had an alarming way of disappearing overnight, owing my salary. I worked for poverty-stricken and unsuccessful politicians. Once I sold an article to a local magazine. When I was paid \$13.35 for it seven months later, I had a hard time remembering what the check was for.

Mother dressed herself carefully and, swallowing her pride, solicited sewing from friends who still had money. She was quite heartless about imposing on them, but she sewed beautifully. "Where in the world could Mrs. Ellis buy a nightdress as delicately made as this?" she would justify herself, grinning. When they tried to beat down her pride—put her in the amateur class—she talked to them pertly. Not cynically, but 'gayly and practically. She was learning the world.

When the fruit in the long, gray-green valleys ripened, Michael and John knotted

their ties under their chins with pre-Depression elegance and set off to pick it. Sometimes John would hear of a job in another part of the state and go after it, walking or riding freights. He often went hungry. More often he had no place to sleep. But he always came back to fling the few dollars he had made on the bed with a gesture. He was as amusing about it as a college boy who had won in a poker game, or saved on his allowance.

In November, 1931, I left to act as companion to a neurotic old lady for board, room, and ten dollars a month. We had always been an affectionate family and misfortune had drawn us even closer together. The parting was difficult. But we were brave enough about it. "Just one less mouth to feed," Michael said teasingly, his arm tight about my shoulders. . . . I came home four months later, healthy and well-fed, but determined to avoid neurotic old ladies for the rest of my life. The family was feeling festive. Michael had a job. And we had a round steak for dinner, thin, but delicious. Michael's was a combination job, a small salary and high commission for soliciting and writing advertising. It seemed incredible luck to all of us. To me it was unbelievable. Except for what I had spent on my "uniforms" and absolutely necessary wardrobe replacements, I had sent my gorgeous wages home to the family. When the old woman's neurosis flung me howling, more or less literally, into the night, I was flat broke. I walked most of the way home to save the railroad fare that was scornfully thrown after me. I washed dishes for my meals on the way. Once, as I plunged my arms into soapy water to pull out thick, chipped crockery, I remembered how Annie had chased me with German curses from her kitchen when I had expressed a desire to learn to cook.

Spring came late in 1932, but it was a spring of hope. It may have been the depths of America's economic perdition, but we at least had a comfortable sense that our feet were touching bottom. My family, at least, was using the slight toe contact to push themselves up again. Almost before I could brush the travel dust off my shoes I had a job. For the times, not a bad one.

Beginning in April I wrote publicity for an anti-Prohibition organization, and received fifteen dollars a week. It seemed a fantastic sum. Mentally we paid the first instalment to buy back our old home. More practically we moved from our unhealthy basement quarters into a high-ceilinged apartment in an ancient, dilapidated mansion. Between sewing, publicity, and advertising, we raked up enough to pay John's bond to sell a reputable article for a reputable firm.

We were happy that year. Proud, too, because we had not only survived catastrophe, but had survived it as a family, loving and civilized. We always left outside the door of our home the nervous irritation which living with fear had bred in us. At night we read or talked. Sometimes we walked in the small park in the center of town, clucking at the swans in the lake. Or we played bridge, squabbling cheerfully over unbid slams. We found friends in the same predicament as ourselves, passed around the gossip of part-time jobs and self-help openings. We entertained each other with lemonade and sandwich parties on hot summer evenings . . . sometimes with just a dash of something cheerful out of someone's pre-Depression bottle. It was poverty, but it was becoming, as I saw it. Something like the wholesome hardships of our pioneer great-grandparents—a genial and well-nourished poverty, hopeful and alive.

So we went through the November elections. And all during the winter of 1932-33 we waited impatiently for Mr. Hoover to clear out of the White House and Mr. Roosevelt to move in. Things in America were going fairly well, but, after all, they could move considerably faster. What they needed was the hefty pressure of sharp change, the little click of confidence, to throw them into the gear to which the country was accustomed.

In August, 1933, we stood on the curb cheering the NRA parade. The town's leading bankers and industrialists beamed from their limousines, the CCC boys on their float, chins out and eyes straight ahead, glowed, to my still impressionable eyes, like young gods of the economic democracy. Was not this a pageant of a new and better kind of progress?

IV

"The government," Mother sniffed, when the CWA was set up in November, 1933, "seems to think that economic security and a place on the dole are synonymous." Mother had a charming, almost little-girl sniff and it expressed better than anything we could say the contempt for government charity we all felt at that time.

Then the American public voted me out of my job. My fifteen dollars had been the mainstay of the family. Michael's commissions fluctuated; sometimes he would have a good week, other times he would make nothing. John's income was equally unreliable. Besides, both were having NRA trouble. Almost daily they were summoned to the Chamber of Commerce building for hour-long waits, culminating in conferences with confused new bureaucrats who seemed unable to decide whether my brothers' working schedules were strictly according to Hoyle. Finally I came

home one afternoon to find Emily Smith visiting my mother.

Emily Smith had been my French instructor when I was in the seventh grade. She, too, had been hit by the Depression. The private school where she had taught had closed when attendance fell off. She had, for the last two years, been giving private instruction, a precarious way to make a living.

I was surprised at Mother's expression. She sat, grim-lipped, bent over her sewing . . . not at all the courteous hostess she usually was.

"Emily is on Relief," she explained later. "She says it is better than wearing out her mind and body trying to make a living as she has been doing. But she's afraid she won't be fit for anything else when the upturn does come."

Then Mother added ruefully: "She doesn't look as shabby as I do, does she?"

"Oh, I'll get a grand job soon and buy you a pretty new dress," I answered.

But I didn't get a job. Business, after its first wild hopes, was frightened again. The Blue Eagle's wings were looking shabby even in 1933, and doing an appalling amount of flapping. Time after time I was turned away with the cliché that employers had adopted. "We have nothing now and any jobs will be filled from the Relief rolls. Besides, if we put you on for part-time work, how do we know whether that sort of an arrangement will stand with the NRA authorities?"

Regretfully we left our high-ceilinged apartment to go, not to our old basement, but to a shabby cottage perched high on a cliff. Again we were living from hand to mouth. Yet there was a difference now. Before we had been confident and gay. There had been no bitterness in us. Now as I tramped the streets looking for work, as Michael walked them trying to sell ad-

vertising, it was difficult not to feel bitter about the billions of dollars being spent around us by the Roosevelt Administration. We saw friends living better than we — being paid a premium for their shiftlessness. We were tired. All we millions who had been battling economic conditions for so long were tired. And Relief offered a way out. It offered a rest.

V

One evening in January, 1934, I came home to find Mother cooking dinner over the open fireplace. The gas had been turned off.

"Well," I snapped, "some more Recovery! Back to the pioneer days."

"It looks a little," Michael said, tapping a newspaper announcement of another vast Relief organization, "as if we were the suckers in this set-up."

He said it smiling, but his eyes were somber and puzzled.

A little later John came home. He leaned against the mantel, idly tossing a penny in the air.

"I saw Lester Smith today," he said. "You remember him, don't you, Jane? You used to have a crush on him."

"What's he doing?" I asked.

"He's sitting pretty," John answered. "He's on Relief. Put over a fast one too. Signed his car over to his cousin, so he's eligible. Gets three dollars a day for sitting on a rock hugging a pickaxe for the PWA. They give him carfare, too, so he uses it for gasoline and parks the car a couple of blocks away. Soft life."

"Lester Smith's doing pick and shovel work!" I exclaimed. "On charity!"

"He doesn't do much work," John answered easily, "and besides, he doesn't call it charity. He says he's got a Government Job."

Mother stood up suddenly, pushing her hair back from her flushed face. "I don't see why you are so hard on Lester, Jane," she said. "It seems to me to be a great deal better and more respectable than grubbing along as we have been doing, living like animals. After all, when his family had money they paid taxes. Why shouldn't the government give some of the money back to them?"

For the first time we saw tears on Mother's face. For the first time, as we ate in hurt self-consciousness, I noticed our little table held not even a cluster of wild grass to add festivity to our food.

Mother and Michael looked so full of secret things two nights later that I should have suspected something. Throughout dinner Mother talked gayly in a high, careful voice. She bustled about the room, moving dishes that didn't need to be moved, clattering busily among the pots and pans.

"Michael and I have been having a conference," she said. She made her eyes round and innocent, clasped her hands girlishly, a gesture I did not recognize in her.

"We have decided to apply for Relief," she beamed.

"But we can't," I protested. "It isn't decent."

"We can't go on as we have been," Mother said. "We have to do something. Everyone else is doing it."

"We can go on. We did before. We can again," I cried.

In that shabby room with its mused table and flickering fire we had our first scene. We, who had never raised our voices, shouted bitter words. "You don't care how I suffer," Mother wailed. Gentle Michael turned on me. "If you think you're too good for us, why the hell don't you get out?"

There was nothing, I felt, for me to do but to get out. And before Michael filed our application I went to live with a friend whose two little girls I was to tutor for room and board until I could find work.

My family went on Relief.

VI

It is illuminating but horrible to watch the members of one's family disintegrate. I visited them often. Everything seemed to be much as it had been before, except that conversation was, at times, strained. All of us were afraid we might mention the word Relief. Yet it was still pleasant to be with my people.

It grew less pleasant as the red tape of Relief bound them more tightly to the "temporary" course they had chosen. Investigators swarmed over the house. Michael spent hours in lines waiting for work slips. He had to give up his ill-paying job, for while he earned a dollar the family was not eligible. The boys made sporadic attempts to find work in private industry, but they found the problem of getting and staying on Relief more time-filling than any job they had ever held. Their nerves were raw. Unconsciously they began to feel sorry for themselves. When their pride was wounded every day they salved it with a sense of self-conscious superiority. They changed, in fact, without knowing they were changing. They did it slowly . . . losing gradually the character that had sustained them throughout the Depression.

Mother began to cry a great deal, letting unchecked tears fall on the open pages of the unread book in her lap. She seemed to lose all memory of the hard years we had had, seemed to believe that one crushing blow had swept her out of her former life into Home Relief. Michael seldom spoke

now. Mother's tears irritated him. Everything seemed to irritate him. He was filled, as the whole family was, with hatred for his fellow jobless, and with envy and hatred for the working.

John was seldom home. "I can't imagine what has got into that child," Mother mourned. "He used to be so sweet. Now he's out till all hours of the night. I don't know what he can be doing. He won't tell me a thing."

After my family had been accepting Home Relief for more than three months, I went to spend the night with them. I arrived on a scene not easy to forget, less easy to reconcile with "those nice people".

Mother, her white hair awry, cowered in her chair. Michael stood before her, shouting like a drunken laborer at her tears. It was almost worse when it became plain to me that he wasn't drunk. It was just his newly won inferiority complex boiling over in a bad attack of Relief neurosis.

"For God's sake," he roared, "will you stop snivelling? I'm so damn sick of you and your sighs and your sobs and your everlasting bawling. It's about time you got wise to yourself and went out and got a job. It's your fault we're in this mess. If I hadn't had to stay around to see that you had something to eat I could have got out and found a job. There are plenty of people who'd be glad to have me. But no, I had to stay here . . . the city you chose because it was 'near the sea you love so much'. Aren't you satisfied with having ruined my life without making it impossible for me to spend an evening in my own house? Cry, cry, cry. Oh, God!"

Blinded by tears of rage and hurt, he rushed out of the house.

"Oh, to think that I should ever have lived to hear my son speak to me in such a way," Mother sobbed. "Why, oh why, didn't God take me when He took your

father? Why couldn't I have been spared this final pain? I've given my life to you children and now, when I'm old and useless, you want to turn me out. Even you, my only daughter, the darling baby I loved so, won't live with me. Even you are ashamed of me."

I wondered: "Can this mentally sick, whining person who sobs into the hideous sofa pillows of her rented furniture be the same lovely woman I have seen so often face grief and disappointment with dignity? Can this woman who composes herself for sleep each night by whimpering, 'What have I ever done to deserve this?' be the same woman I admired so much as I watched her arrange flowers in her favorite quartz bowl? And just when, and just why (I wasn't far from hysterics myself) did she stop being my mother?"

And Michael? What had he been doing, shouting at his mother? Once any mother would have thought him an ideal son. He would sooner have stolen than neglected a Mother's Day. He had been so gay and confident. Why was that hang-dog, beaten look on his face?

I could answer Mother's plaintive cry of "What is John doing?" John, with his hair always halo-like in its rumpled gold quality, was my favorite. All day, when he wasn't in the Relief lines, he sat about the apartment smoking or sleeping; speaking, when he spoke at all, through lips as thin and melodramatically tight as those of a Hollywood super-gangster. At night, filled with self-disgust, he found companions on the street corners, Relief recipients like himself. They "did the Main Drag" or sat hunched in all-night restaurants, sipping black coffee and complaining.

"Your people, not mine, Mr. Roosevelt," I raged into the quiet night. "This was the way out you offered. As a perfect hostess, I'd like to invite you for about 365

days of the next year . . . yes, a nice long visit, Mr. President . . . to leave your White House and come out and eat and live with us."

I was, I fear, a little petulant toward great social engineers of the More Abundant Life that evening. In fact, I was so disturbed by all that was happening that I think I really willed myself into a job. At any rate a successful politician employed me as his secretary, this time at \$17.50 a week. Not much, but at least reasonably permanent. My politician didn't have even the insecurity of an office-holder.

I left my two pupils stumbling over Latin construction and ran over to our high-perched shack. For a little while, as I chattered about my luck, the family poise and good humor seemed to have returned. Mother's face glowed and Michael chuckled me under the chin, saying playfully: "You always were the smart one in the family. Always said you'd make good. When are you going to buy me a new automobile?"

"It means," I almost shouted, "we can live together again. You can get off that frightful Relief."

"But, Jane," Mother said thoughtfully, "we can't all live on your pitiful seventeen-fifty. And if you lose your job, we'll have to go through all that red tape again."

"Isn't this politician you are going to work for a big shot?" John interrupted. "Why don't you ask him if he can't do something to get Michael and me a couple of the good jobs that are being tossed around to deserving Democrats? That would be a real help."

"Don't be silly," I said. "Of course we can live on seventeen-fifty. We've lived on less."

"I'm afraid it's impractical, kiddo," Michael said a bit loftily.

"But don't you *want* to get off Relief?" I was puzzled.

"Of course we want to get off Relief, dear," Mother said. "But we must live. After all, there's nothing shameful about it. The government owes us a living. We would never have been in this position if it hadn't been for the government. The only shameful thing is the way Relief is being administered. A group of us are organizing a protest meeting to demand larger rent allowances. We shouldn't be expected to live in such surroundings. They aren't healthy."

"It isn't," Michael added, "as if we were bums the government or somebody would have to take care of in any case. We are American citizens and if the government can't fix up business so we can get jobs they'll have to provide us with a decent living."

"All you need is the proper pull," John said. "Your new boss can fix that up. Say," he whispered to me aside, "how about my going to see him and slinging the old sales-talk hooks into him?"

"My God, no!" I fairly chattered — and suddenly realized that I was even more shocked at the abruptness of what I had said than at my reasons for saying it. I was ashamed, horrifiedly ashamed, at the mere thought of my employer seeing my family in their present state of chiseling abasement. In all my life before I don't suppose the thought had ever crossed my mind that a family was something one could be ashamed of.

VII

The story from that morning on is typical . . . and inevitable.

Home Relief was unsatisfactory. Mother felt that she should be able to find a "respectable white-collar job" with the government. She was amazed and indignant when she found nothing available. "It is

ridiculous," she would say, "that a woman of my background can get nothing when there are women doing responsible work on the government projects who were sweeping someone's floors before the Depression. I could do educational work, perhaps, or interview applicants. I might even consider nursing. Your father once told me I had such soothing ways with ill persons."

She wrote long letters to government officials explaining and magnifying her former position—and developed fainting spells when they answered with an offer of a few days' work with a sewing project.

"Servants' work," she called it. It seemed utterly incredible to her that the government should allow her to do such work when it provided a living and "respectable" employment for other people. The mere fact that she was the backbone of America, she believed, gave her prior rights to government bounty. And she found the ideal position when the Federal Writers' Project was organized. From the little trunk filled with the few precious keepsakes Mother had saved even during our deepest poverty, she resurrected four children's stories she had written in the long months before Michael's birth. At night she wrote late, filling page after page with close, tight letters—the story of her life. These she offered and they were accepted as her entree into the writing world, at government expense.

But today, she does little writing. Chiefly she spends her time agitating—demanding higher wages, larger allowances. Demanding, above all, that the Writers' Project be made permanent. In brief, she is afraid. And she is unhappy—a wrecked, querulous old woman.

The family broke up completely late in 1934 when John married. Jewel, his wife, was big, blonde, comfortable-looking . . . and out of a job.

"I have a right to marry," John flared. "Just because a bunch of stupid Republicans messed up the country is no reason I should spend my life alone. Besides, what chance does a single man stand to get decent treatment on Relief? All the good things go to the men with families."

With his wife, he felt that he would "get to the top"—to the place where instead of receiving WPA work slips he would hand them out. But John was a salesman. He was trained for nothing else. The top was not easy to reach and he grew apathetic. He has never got to the top. He stopped trying after a while. He's been too busy picking up the crumbs at the bottom. To him they aren't crumbs, however. They represent just another little thing he has got away with. He and Jewel have had one child. They are soon to have another, each one equal to an increase in the Relief check and an extra can or two of tomatoes in the food basket.

Michael went in for politics . . . running errands for good party men, building fences, writing speeches. And he was rewarded. When the great organizations the government established in competition with private business were set up, there was a demand for bright young men. Michael was decidedly a bright young man. He knew the right people. He went to work for the Administration turning out thousands of words of publicity. He was feeling established and secure. When an old friend offered him a position in the advertising department of a newspaper, he turned it down. He was making more money where he was.

The right people, however, were only temporarily right. With the first political shake-up he was out of a job again. But he got others; and he lost them with succeeding shake-ups. In the interims he pursued politicians, frantic with worry that

the one he had chosen to help him would be out of favor. He is grateful now if the men for whom he does so much gratuitous work will smooth his way to getting Home Relief when he is not working. He has joined permanently that group of seedy men, with the wary, abused faces of typical political hangers-on, who haunt hotel lobbies and campaign headquarters.

VIII

My family is on Relief. Yet are they my family? Certainly, in a physical sense, they are the same people who greeted me in the long, cool veranda room that autumn of 1929, so long ago. They are, too, the hurt, bewildered people who left that town to go to new places to build a new life. But they are not the mother and the two brothers I knew when we were gay and a little proud because it was the spring of 1932 and we all had jobs of a kind.

These people, my family on Relief, are ruined people. They have no spirit. Their morale has been broken. They have only one thought—it has been dinned into them—the government will support me; one ambition—how can I make the government give me more? They and millions like them have formed a new class in America, a class of parasites, pampered into unfitness by their bureaucratic government.

What will become of them when the huge Relief structure collapses, as it inevitably must? Well, the Administration that so carelessly assumed the support of a people has not thought that far ahead.

Yet I, and the thousands of individuals who survived both the Depression and Mr. Roosevelt, have *had* to think that far. We know the burden of rehabilitation will fall on us. We cannot refuse to accept the wrecks of our families which the New Deal will turn back to us.



THE STATUE

BY LAWRENCE LEE

THERE is no sound abroad the night,
Unless a bronze horse in a square
Makes noise along the moonlight.

Rider and horse will be plodding there
How many years — and never reach
Nearer to stars than in this air.

Too deeply the calm mind broods for speech,
Journeying the moonlit solitude
Where the mild planets are gathered each from each

Over the old head that seems to nod,
The heart that was troubled and chiefly good,
The voice grown small in the quietude.

THE REDS AND CIVIL RIGHTS

BY H. L. MENCKEN

IN MARCH last, at the time a Senate committee was engaged upon a smelling tour through the private telegrams of the Hon. William R. Hearst, LL.D. (Oglethorpe), certain officers and members of the American Civil Liberties Union sent a letter to the Hon. Hugo Lafayette Black, LL.B. (Alabama), the chairman thereof, protesting against its violation of the Fourth Amendment. I must confess that reading that letter gave me great satisfaction, for it set forth sound doctrine in simple and effective words. The signers were Messrs. Roger N. Baldwin, Osmund K. Fraenkel, Arthur Garfield Hays, Corliss Lamont, Harry F. Ward, and Raymond L. Wise. I record their names with pleasure, and hope that any nascent Ph.D. who happens to unearth these lines in the years to come will not fail to enter them in his thesis. If anything that I have to say hereunder appears to be in contempt of any of the six gentlemen, I disclaim that intent at once, and offer them my kindest personal regards.

But how many of the other whoopers for civil liberties in this great Republic deserve to be ranged with them? The answer, alas, must be damned few. Indeed, it would probably be difficult to find more than a corporal's guard in the American Civil Liberties Union itself, for on the day following the dispatch of the letter aforesaid, its general counsel, the Hon. Mr. Hays, was constrained to issue a hurried statement to the membership, defending

the action of himself and his five associates. From this statement it appeared that "many friends," *i.e.*, many members of the Union and contributors to its funds, were incensed by the letter, and had written in or called up to protest. All these "friends" were hot for a wholesale snooping into the files of the Hon. Mr. Hearst. They yearned with a great yearning for a cavalry raid through his private affairs, and the more private the better. If the Fourth Amendment stood in the way, then so much the worse for the Fourth Amendment.

Was there anything unusual about this episode? There was not. The American Civil Liberties Union is an organization founded for an excellent purpose, and more than once in the past it has struck useful licks for the Bill of Rights, but the Reds have been boring into it for some years past, and there is not on earth a Red who actually believes without reservation in the common liberties of mankind. Even Mr. Baldwin, since his conversion to the Marxian hooey, has publicly defended the suspension of free speech in Russia, and I have reason to believe that at least one of the other signers of the letter to Black is inclined the same way. Regarding the remaining four I can't testify, but the evidence as to the generality of scarlet brethren and sisters is too patent to need laboring. The Hearst case offered a capital test of their *bona fides*, and they failed to pass with almost complete unanimity, led by

the kept idealists of the pink weeklies. When, two months later, the members of the Associated Press, in convention assembled in New York, ventured upon a mild protest against attempts upon the freedom of the press, the same idealists had at them with great fury, rehearsing anew all the old nonsense about the newspapers being under the hoof of Wall Street.

The position of Hearst himself, of course, is just as weak, for he is howling with one half of his larynx against the invasion of his own clear rights, and urging with the other half that the rights of the Reds be destroyed. But the inconsistencies and other failings of Hearst need not detain us here, for they have been sufficiently exposed by specialists in his high crimes and misdemeanors. The Reds differ from him only in the detail that they are even more inconsistent than he is. They not only blow both hot and cold in the matter of free speech; they also blow hot and cold in every other matter that they presume to discuss. They condone in Russia not only all the relatively mild tyrannies that they bellow against in this country; they also condone there all the large and intolerable tyrannies that horrify them in Italy and Germany. Even more than the New Deal mountebanks, they have ruined with their incurable dishonesty every good cause that they have ventured to touch. Entering under false colors such organizations as the Civil Liberties Union and the various societies against war, they have brought all of them under suspicion, and will wreck them soon or late.

II

The pacifist movement, indeed, is already wrecked, and was approaching that state even before the Red Habakkuks began polluting it. No sensible person has any

confidence in it any more, or in the good faith of the evangelists, whether clerical or lay, who principally whoop it up. Launched in this country in 1910 in the shape of the late Andy Carnegie's Endowment for International Peace, it turned out in 1914 to be only a stooge for England. Revived after the World War, it has since become only a stooge for Soviet Russia. One of the noisiest of its agencies doesn't bother to attempt any disguise: it calls itself the League Against War *and Fascism* — and by Fascism it only too plainly means any system of government differing from the Asiatic despotism of the Moscow Utopia. Whenever any country save Russia undertakes any measure of defense, however mild or unavoidable, this organization and its congeners fill the air with moral outcries, but they never mention the fact that the Russian Army is now the largest that Europe has ever seen, and the readiest for war.

Not a word was heard from these lovers of humanity when the Reds under Trotsky were marching on Warsaw, and hoping to be able to keep on to Berlin, Paris, and even London. War, in those days, was highly virtuous, just as it would be again tomorrow if the Reds took to the warpath once more. But when the Poles heaved them back from the gates of Warsaw and they retreated to Utopia in a highly disillusioned and demoralized state — when that catastrophe overtook the liberation of the workers of the world, war became immoral again. The present Russian Army, it appears, is an organization of cooing doves. Its strategists study the defense only, and know nothing about offensive fighting. Its guns are loaded with bullets fatal only to the wicked, which is to say, to those who find the rubbish of Marx idiotic. Its vast fleet of airships is incapable of killing innocent civilians, and

its tanks will leap over all bystanders whose hearts are in the right place. Its endless hordes of conscripts have no aim save to protect the downtrodden of all nations against Hitler, Mussolini, the Japs, the Poles, the Hungarians, and the du Ponts.

The plain truth, of course, is that the Russian Army is precisely like any other, and is maintained for the same purposes — first, to keep order at home and maintain the reigning scoundrels in power, and second, to further their megalomaniacal ambitions abroad. If they do not plot to grab more territory, like their colleagues of Italy, Japan, and Germany, then it is only because they have more than they can digest now. No one ever hears of them offering to give up any of the Czar's stealings. In the West they put down discontent in Karelia and the Ukraine with savage ferocity, and in the East they accumulate immense armaments to launch against Japan, which has quite as good a title to the lands it now grabs as ever the Czar had to Turkestan, or even to Siberia. Day in and day out they seek military alliances with other Powers, including the most grossly militaristic. Today they line up with France against Hitler; tomorrow, if it fell in with their schemes, they would join England against France. The course they pursue is completely knavish, and there is no better evidence of its knavishness than the tortured defenses of it one hears from their American dupes.

At home they carry on exactly like Hitler and Mussolini. The populace is heated up with inflammatory talk about foreign tyrants who plan to come over the border with illimitable hordes and reduce the whole Russian proletariat to slavery, and under cover of the fears thus aroused they rivet that proletariat in ever tighter chains. The bloody Hitler purge that made such

a sensation in the summer of 1934 is duplicated in Russia at close intervals, and if it were not for the army there would undoubtedly be rebellions on a large scale, and in all parts of the country. To prevent such works of Satan the Moscow Mussolinis keep 900,000 yokels under arms, with an enormous outfit of tanks, airplanes, and artillery, and missionaries in every squad to preach the Only True Faith. The American pacifists, always easily gulled, compare this formidable host to the band of Boy Scouts that Richard the Lion-Hearted led up the walls of Acre. It is actually much more like the corps of mine guards in the Pennsylvania coal fields.

III

But if the Red infiltration thus reduces the war against war in America to a palpable absurdity, the damage done is, after all, not substantial, for there is not the slightest chance that war will be abolished in our time, or indeed, while the present historical epoch endures. It can never cease in the world until governments are greatly circumscribed in scope and power, and that is obviously something for the remote future to achieve. So long as a gang of unconscionable criminals, by inserting themselves into a few public offices, can acquire eminent domain over the lives and property of all other citizens, we'll see exploitation and injustice at home, and homicidal adventures abroad. Some day, I hope, the people of one of the more advanced countries will lose patience at last, rise against and hang all their public officers, and bring down their government to the lowly and innocuous estate of a chain of grocery stores or a well-managed line of inter-city busses. If that ever happens their reform will spread far more quickly and widely than fascism or bolshevism has ever

spread, and in a little while the world will be at peace, and decent people will be let alone. But my hopes, I should add, are not to be mistaken for a prediction. Before anything of the sort may come to pass the human race must somehow lift itself to the level of the bumblebees and the pissants, and that is not likely to be done for a long, long while.

Meanwhile, however, there are devices for moving toward the ideal end, if not for actually reaching it. One of them is the device of limiting the powers of government in special fields. So far it may go, but no further. It may not, for example, jail a man without an open trial, giving him a chance to state his defense. It may not prevent him trading with any god or other supernatural mammal who offers him, in his judgment, a sufficient return for his money. It may not forbid him to live wherever he wants to live, or to say whatever he thinks worth saying, or to read any book that he fancies, or to marry any wench who is willing, or to eat, drink, and dress according to his taste, or to vote freely when the time comes to oust one rascal from public office and put in another. It may not torture him to make him confess to crime, and it may not punish him in cruel and unusual ways when he is convicted on the evidence of others. It may not quarter soldiers in his house against his will, or pry into his private affairs without a sound and sufficient public reason, or seize his property without offering him reasonable compensation. And so on, and so on.

These inalienable immunities are not old in the world. They were unknown in the great empires of antiquity, and they had little save a theoretical existence in medieval times. It was only with the dawn of the modern era that they began to take on shape and substance, and it is only in

a few of the more enlightened and progressive nations that they prevail today. They constitute one of the most valuable possessions of mankind. The larger their number and the wider their range, the higher the degree of civilization. Whenever they are abolished *in toto*, as in Russia, Italy, and Germany, it is recognized by all rational men that there has been a step backward. Indeed, it is so recognized even by the irrational, for the most ardent defenders of Stalin and Company moan and beat their breasts over the destruction of civil liberties in Italy and Germany, and *vice versa*. And when they are invaded and conditioned in this detail or that, as was done in the United States during the World War and later by the Eighteenth Amendment, all rational men protest vigorously and try to bring the invaders to account. These immunities provide the one really reliable touchstone of human progress. The more numerous they are, and the more stoutly defended, the greater the advancement of the people. The best government is the weakest.

IV

Of all these limitations upon the prerogatives of public officials, the most valuable, I venture to believe, are (a) those which forbid them to interfere with the free expression of opinion, and (b) those which confine their execution of the laws to rigid patterns, clearly set forth. The value of the first hardly needs argument. If a citizen is not free to publish his ideas on any subject, and especially on the subject of the government he lives under, then his position at best is simply that of a prisoner in a well-run house of correction. His life is endurable only so long as he is on good behavior, and good behavior means not only obedience to his guards, but also po-

liteness to them. He is, in every logical sense, their slave, and his sole remedy against their exactions, however outrageous, is the poor one of trying to kill them, with an overwhelming probability that he will be killed himself. That is the situation, precisely, of the people of Russia, Germany, and Italy, today. It may be, for all I know, that the despotism prevailing in these countries is a better form of government than the kind we have to endure here, but if so, no one will ever know it, for there is no way for those living under it to report on it, frankly and honestly, as we report on ours. They are free to say that it is good, and some of them do so, but they are not free to say that it is bad, and no one knows how many of them believe that it is. If it needs reforms, then those reforms may be attained only by the grace of the reigning scoundrels. No one has any right to criticize their official acts or to discuss their private character, and there is no way short of bloody revolution to turn them out.

I see no reason why the Reds in the United States should not be permitted to advocate this form of government, if they actually like it and yearn for its introduction here. Their right to do so, indeed, is quite as clear as my right to denounce it, and if that right of theirs is limited in the slightest, then mine must be limited too. To be sure, their essential dishonesty is revealed once more every time they open their mouths on the subject, for they demand free speech in the United States and at the same time defend its denial in Russia. But that is not an argument against free speech; it is simply an argument against either their commonsense or their *bona fides*. They are, in fact, only too plainly either rogues or jackasses, and it would hardly be unreasonable to argue that they are both. But that is no ground for

denying them the right to be heard freely, and to persuade any other persons who may be susceptible to their peculiar kind of buncombe. Free speech is not a monopoly of the wise and virtuous; it belongs also to rascals and fools. It does not involve only the right to say what is generally accepted and of good report; it involves also the right to say what is generally rejected and of evil report. In brief, the right to be right includes the right to be wrong, and the right to tell the truth includes the right to deny it.

I know of but one limitation upon that right, and it is set up by the right of privacy. I am free to say anything I please, but I can't force you to listen to it. If, perchance, I am convinced that our Holy Christian religion reeks with error, I may utter that conviction at length and in any proper place, but I may not utter it on the steps of St. Patrick's Cathedral as the faithful cops of New York issue from mass. That would be an invasion of their right to cherish their faith at peace, and if they proceeded against me by beating me up, most courts would deal with them leniently and even many infidels would applaud. But there is also a right of privacy which I have against the cops. They may not break into my house at their will, and wallow through my books and private papers, and then haul me off to jail for harboring Ingersoll's speeches and a postcard from Clarence Darrow. In order to get at me for such villainies they must go through a formal and elaborate process, full of precaution against violations of every free American citizen's right to be "secure in his person, house, and effects". They must convince some magistrate that I have probably violated one of the laws of the land, they must "describe particularly the place to be searched and the person or things to be seized", and

they must support their application with solemn oaths, and so lay themselves open to damages in case I prove to be innocent.

This security of domicile is protected by the Fourth Amendment to the Constitution of the United States, and by similar provisions in the Bill of Rights of all the states. There are teeth in all such provisions, and they deserve to be kept sharp. The moment they are allowed to grow dull we'll be headed toward the Russian Utopia, and the Reds will be on the block along with Hearst. They are such imbeciles that, save for a few smarties among them, they can't grasp this salient fact, but showing that they are imbeciles is surely nothing new. The Hearst case actually offers an almost perfect test of civil liberties in the Republic, for there are dubious parties on both sides of it, and many patriotic persons would be glad to see all hands jailed, or even hanged. In that circumstance, precisely, lies its public value and significance. If Hearst, as his opponents allege, is a wicked fellow, and even a sort of werewolf, then all the more reason why he should be protected in his common rights against such shabby demagogues as the Hon. Mr. Black and such professional enemies of the Bill of Rights as the American Reds. And if the American Reds dream boozily of taking away the rights of all of us, including Hearst, then all the more reason why they should be protected

in their own. Their ideas on the subject are as flabby and flatulent as their ideas on all other subjects. They are professional paralogists, and live and have their being by crying up the manifestly not true. If they are against Hearst, it is one of the best imaginable arguments in favor of him.

But he needs no such devious defense. His rights are as clear as crystal, and he deserves to be supported in them, not only by his friends but also and especially by his foes. I don't know, as I write, what the result of his resistance to Black and Company will be. The courts, at last accounts, were trying to dodge the issue, as they so often do in cases of equity, and it may be that in the end they will find some sophistry good enough for getting rid of him. But the fundamental soundness of his position cannot be concealed. The rights he fights for do not belong to popular persons only, or to indubitably respectable persons, or to persons who think only correct thoughts, whether in the Moscow sense or in the sense of ordinarily honest and intelligent men. The moment any differential is intruded into the matter, either by learned judges in their robes or by numskull Reds on their soapboxes, the right conditioned becomes a right destroyed, and no man is safe against the buzzards who roam the country, seeking whom they may devour.



AMERICA WILL NEVER FLY

BY KENNETH BROWN COLLINGS

THE odds are 25 to 1 that the average American cannot learn to fly well enough to avoid killing himself—for even as brief a period as the normal life-time of the professional stunt pilot. The odds are 8 to 1 that he cannot learn to fly at all; and more than 3 to 1 that he does not even *want* to learn.

Thus, when air-minded enthusiasts coin the slogan, "The man or woman who can drive an automobile can safely fly an airplane", they are sadly neglecting the facts. For the difference between the two modes of locomotion is as vast as that between the two mediums involved—earth and sky. The contrast between the mechanical aptitude required is as wide as that which exists between the two machines themselves. Hence, pop-eyed predictions that the skies of the near-future will be embroidered with darting, swooping, iridescent planes of all sizes and descriptions are as ludicrous as the prophecies of some years ago that the horseless carriage was the invention of the Devil, and thereby doomed to swift extinction. To elaborate upon this thesis, it is worthwhile examining a typical airplane to ascertain what technicalities a student must master before he can imitate the bird.

To begin with, there are two fundamental differences between automobiles (and all other surface vehicles) and aircraft. The motor car can be turned at the will of the driver, but it can never move in more than one plane. Therefore, the

directions in which it can travel are definitely limited. On the other hand, the airplane can move in all directions in all planes, so that the paths of travel open to the pilot are infinite. The automobile is supported by the earth—hard, solid earth; it can be slowed in its gait or, if need be, halted. But the airplane is supported by the air—thin, ethereal air, which only takes on the properties of a solid when an object travels through it at high speed. Hence the plane-pilot can never slow his gait, nor halt, no matter what the emergency.

There is only one directional control in the automobile: the steering wheel. The airplane contains two, and one of them controls two movements simultaneously. There is a stick (or a yoke-and-wheel device in some types of aircraft) which is manipulated by hand and governs vertical movement and banking. There is a rudder, operated by the feet, which controls lateral motion. The stick is hinged on a universal joint and its possible movements are almost as numerous as the motions of the plane itself. Yet the simplest maneuver in the air requires a synchronized movement of the stick—in two directions—and of the rudder.

Moreover, there is no rule-book which tells the pilot how much or how little he must manipulate any one control to produce synchronization with the others. Only instinct can dictate that. The problem can best be illustrated by a description

of the simple maneuver of banking a turn, *i.e.*, the overcoming of inertia which tends to keep moving objects traveling in their original direction. In the automobile, skidding is the result of inertia, and it can be nullified to some extent by the grip of tires or chains on the earth. In the air-plane, there is nothing to grip the air but wings; to prevent a skid, they must be banked at a sufficient angle from the horizontal to overcome the inertia of that particular turn—the sharper the turn, the greater the angle. The pilot's problem, then, is: what degree of bank does this turn require? Yet before he can answer that elementary question, he must determine the degree of the turn he proposes. He is alone in space; the ground is far below; there are no houses or trees or signposts or highways to guide him. He has nothing to depend on but his flying instinct; he must sense his degree of turn and also sense the amount of bank required. If he banks too steeply, the plane side-slips and falls; if the bank is not steep enough, the plane skids into a stall, loses flying speed, and falls.

Next is the problem of landing. This is the most difficult job in the business of flying, because in coming down to earth, the pilot must deliberately violate the rules of flight. In other words, to land properly, the airman must stall his plane. As the stall automatically throws the plane out of control, the maneuver must be completed at an exact altitude, so close to the ground that the craft will have but a few inches to descend before coming to rest. This feat is not easy; distances in the air are even more deceptive than at sea; a mistake of only a few feet will cause a nasty crash. Thus, a perfect landing requires keen eyesight, an exact judgment of distance, and co-ordination of trained muscles and iron nerves.

There is one more important problem for the air student to consider. That is the actual mechanical equipment of the plane. The instrument panel of the simplest amateur craft contains a minimum of four dials; altimeter, engine-speed indicator, oil-pressure and oil-temperature gauges. All are important, and all must be kept under constant observation by the occupant of the cockpit, at the same time that he is noting his flying direction on the outside. This minimum number of four dials, however, is a rarity; normal equipment is much more extensive. Cross-country flying requires a compass; bad weather necessitates an artificial horizon, or an air-speed meter and bank-and-turn indicator in combination. Certain planes carry up to a dozen instruments; multi-motored craft may boast of as many as thirty, all of which must be checked constantly by the pilot.

The various flying factors thus far catalogued would indicate to even the most casual student of aviation that the difference between piloting a sedan on earth and an airplane in the sky is considerable—in fact, startling. Hence, grandiose prophecies about the traffic-cluttered skyways of tomorrow are as egregious as they are foolish. The millennium is not here, nor has it even been sighted on the horizon. Indeed, the figures and statistics on the progress of aviation in America in the past three decades indicate clearly the many disappointments that wait in store.

II

First of all, it must be emphasized that the aviation enthusiasts do not confess to any dark side of flying. Neither does the Bureau of Air Commerce—one of the three federal agencies interested in flying as a national enterprise. But the other two

departments — the Army and the Navy — do admit to misgivings. Briefly, their experience proves that a very small percentage of Americans will ever become successful fliers. Yet the Army and Navy have no axes to grind, and thus they are not exercised over the status of civilian neophytes. Their task is to train carefully-selected young men to fly for military purposes; the students must measure up to rigid standards or quit the service. On the other hand, the Bureau of Air Commerce — a subdivision of the Department of Commerce — views its mission differently. It feels that it must foster — even promote — the growth of aviation; that it must get the Man on the Street into an airplane. In other words, the great American public must be Taught to Fly.

But, unhappily, the records of the Bureau — and the Army and Navy as well — lack one vital bit of information: while they indicate the number of persons who try unsuccessfully to learn the art of flying, they lack any figures as to the great bulk of the populace who never make the attempt. Now this is vital information indeed. That it is lacking is an indication of why so much confusion and misunderstanding exists in the aviation field today.

Counting all pilots of all classes, and all students — past and present — less than one-tenth of one per cent of Americans have ever tried to fly. Hence, in order to reach a conclusion as to what percentage *can* fly, it is essential that the other ninety-nine and nine-tenths be considered. It is necessary to ascertain whether lack of time or money, or lack of interest, keep them away from the airfields; it is imperative to know how many of them would want to learn to fly if they had the opportunity. This is because the desire to fly is the prime requisite of aeronautical adaptability. It is difficult to teach a student — espe-

cially an adult — anything which he does not wish to learn, and the lack of the urge to fly eliminates him completely. When an Army or Navy air cadet says that he has lost interest in things aeronautical, the flight surgeons ground him immediately and send him home by the next train.

It is unnecessary for the present purpose to consider the flying desires of Americans under fifteen and over sixty: departmental regulations prevent those younger from becoming pilots, and those older are generally excluded by reason of infirmities. But investigations as to the flying urge of the balance of the population have recently been completed. They reveal that more than two-thirds of Americans have no desire to learn to fly even if they had the opportunity — including time, money, and all other requisites. Boys and girls of fifteen to twenty show the greatest interest, but the response from the populace in general averages only twenty-nine per cent.

Age — young or old — eliminates forty per cent of the population; the lacking of a desire to fly eliminates more than two-thirds of the remainder. Negroes cannot fly — even the bureau of Air Commerce admits that — and any group of Americans includes ten per cent of that race. Removing them from the picture leaves less than nineteen millions — or between a sixth and a seventh of the population — who are potential pilots . . . and the story has just begun.

The Army accepts applications for designation as Flying Cadet and sends those who succeed in passing the tests to flying school. The standard is high and is rigidly maintained. A man must be in his early twenties to be considered at all; he must come from a good environment, and possess a college education or its equivalent. Needless to say, he must also have the

urge to fly. The educational and environmental qualifications need not be emphasized here except that they indicate the boys come from better than average homes, have been well nourished, and therefore are in sound health. Yet, when they encounter the Army's physical examination for fliers, only one out of five passes. The twenty per cent who survive are sent to Randolph Field for a year of flight training. If they pass that, they finish with another year at Kelly Field. They are then excellent fliers with about 550 solo-hours to their credit, when and if they graduate. Slightly more than half of them do not.

We have already seen that less than one-sixth of the population can conceivably fly. If the Army's physical test excludes all but twenty per cent of those, and the flying course eliminates half the remainder, then one out of sixty Americans can be said to fly to Army standards. In practice, one out of six hundred would be nearer the truth, because the age, educational, and general requirements would eliminate most of the starters before they reached the physical examination.

The Army, Navy, and Marine Corps are not sentimental about their training methods; they want good fliers and nothing else. The Bureau of Air Commerce wants fliers too—but they can merely hope that they will be good. The commercial physical requirements are therefore set much lower, with the result that ninety-seven per cent of all applicants for a student's permit pass. The same examination will later make them eligible to become amateur or private pilots. The number of failures—seven per cent—is so small that it can be ignored. Yet the Bureau's own records show that only one-third of its students ever qualify as pilots. Furthermore, according to the Bureau,

only one out of four students becomes a good pilot. Two out of four rate as fair, and the fourth cannot fly at all. These figures, however, demand a definition of "fair". In the view of one high official, it means that the pilot can "fly well enough to come within minimum public safety requirements". The same official observed that he would not want to ride with any of the fair pilots, although he considered them dangerous only to themselves. "As a brother," he said, "I might discourage them from flying; as a government official, I cannot." How does this information check with the one-sixth of the population who are potential aviators? One-fourth of the group admittedly cannot fly at all; two-thirds of the balance are "dangerous to themselves". Hence, despite the cheerful slogan of the air-minded enthusiasts, the premise is proved: 25 to 1 that the average American cannot fly well, and 8 to 1 that he cannot solo around an airport long enough to be labeled Amateur Pilot before he goes further afield and gets into trouble.

III

The above figures are accurate, but certain of them merit discussion. For example, the Army recruits a splendid group of American youth, puts the candidates through a fine-mesh sieve, eliminates eighty per cent by rigid physical examination, and still finds that less than half the remainder make acceptable aviators. The Bureau of Air Commerce starts with anyone who has the price of flying instruction. It eliminates virtually none and graduates three out of four. Well, the air-minded evangelists have an answer to that: the Army, they say, seeks more than pilots; it demands all-round officer ability. That is true, and the objection sounds reason-

able; but loses significance in view of certain facts. The Army's eliminations for mental and educational shortcomings are conducted largely before the physical test is given, yet eighty per cent fail the examination, whereas only seven per cent are rejected by the Bureau.

The flying enthusiasts continue to object: military flying, they say, requires a physique to withstand the tremendous strain involved in such maneuvers as dive-bombing — pointing the nose of an airplane down and letting things rip — while commercial flying does not. This objection appears valid, but any civilian pilot who leaves the ground can get into the same kind of dive accidentally. The strain on his heart, lungs, eyes, and ears will not be any the less. When such an accident occurs, the pilot's vital organs do not need to cease functioning to create trouble; he is already in trouble. The earth is coming up with hypnotizing speed — so fast that gravity seems greased and mental processes paralyzed. Even if he is able to think, there is no time; action must be instantaneous; flying instinct alone will prompt him to do the right thing. If he does not have instinct, he will wake up in a hospital ward smelling of ether — if he wakes up at all.

This flying instinct is called by a variety of names: "aeronautical adaptability", "flying aptitude", and so forth. But whatever the name, it is the most important factor in safe flying. It is an intangible something composed of many elements; a physical examination alone will not reveal its presence or its lack. It is partly physical and partly mental; how well a man sleeps and how he is affected by alcohol may influence his make-up, and so may the question of whether he practiced masturbation as a youth. Dizzy spells and chronic headaches indicate a lack of

aeronautical adaptability, but their absence is no proof of its presence. Flying instinct is a hundred things rolled into one. Only experts can tell whether a flying student has it or not — and even they are uncertain until after long observation.

The Army and Navy spend months watching their student aviators for the little signs which indicate a lack of adaptability. But the Bureau of Air Commerce does not officially recognize the existence of instinct. To do so might prove embarrassing. It cannot, it believes, question the private lives of commercial students; it cannot discriminate against the uneducated, or even against the morons who may wish to become pilots. Commercial flight instruction does not lend itself to a constant observation of students, so the Bureau sees no use in making elaborate investigations as to the adaptability of a candidate before it permits him to start flying, when it has no facilities for keeping track of him afterwards.

The student receives his instruction at any field he may select, or at a number of them. There is no regularity about it; he takes a lesson when he can spare the time — or the money. Under those circumstances, who is to know that his ten-days' absence was caused by chronic headaches, or by a six-day drinking bout followed by *delirium tremens*? Who is going to tell? The student pays the school by the flying-hour; the school pays the instructor the same way — and no instructor is going to lose his own meal ticket.

Bureau officials admit that most of their flying accidents are traceable to the "two out of four fair pilots who are dangerous only to themselves". These pilots are usually confined to the non-commercial ratings, and are not allowed to carry passengers "for hire or reward". That provision protects fare-paying passengers on the air-

lines against incompetent pilots, but there the precautions stop. The fair pilots can carry their friends and acquaintances on pleasure flights, because, in theory, a friend should know that if anything happens, it is his own fault. But what about the rights of occupants of other airplanes, and of the people on the ground below? An airplane crashes just as hard when the pilot is an amateur — and much more frequently.

Despite the fact that there is a seemingly limitless amount of sky and — as yet — very few planes, collisions already exact a toll. Two planes recently collided over Munich, Germany. They fell into a street, killed three pedestrians, wrecked the front of a building, set fire to a store, and cut off the electric power in a quarter of the city. A few years ago, an American plane crashed through the wall of a house and killed five people.

The aviation enthusiasts are determined to make America air-minded and nothing short of a sky littered with sport planes — as well as air-liners — will satisfy. Whether or not they achieve that goal, cheaper airplanes will undoubtedly increase flying activities. But then there must be more aviators. If good ones are unobtainable, any kind will have to suffice. Later on, the safety factor may be emphasized. There is nothing new about this situation; America has been through it twice before. It is only necessary to glance

at the history of the railroads and the automobile to see in retrospect the troubles which are now emerging all over again with the airplane. The four great safety devices of railroading are steel cars, automatic couplers, air brakes, and automatic block-signals. All railroad men admit that in the past the companies were shortsighted in postponing their adoption. But at the time, the railroads were too busy expanding to give much thought to safety. Next came the automobile — with the same deadly story.

And now comes the airplane, bringing with it one inherent menace which was absent in former modes of transportation — while an individual could stay off the railroads and the highways if he wanted to, he cannot stay out from under the airplanes. Hence, the old lesson should be relearned — that any high-speed transportation must be developed from the first with a rigid eye to safety. If that lesson is applied to airplanes while they are still in the early stage of development, the problem will be simple.

Meanwhile, the public should be told that flying is anything but easy. It is a highly technical accomplishment which can be mastered only by people endowed with aeronautical adaptability. The average American cannot become an airplane pilot, and should not be allowed to make the attempt.



MY RESPECTS:

BY MARJORIE WALTHALL JACKSON

I. To a White Crane

I cannot stand on one thin leg
And, while I doze, monopolize the sky, the river, and the afternoon.
I can not gourmandize quick-flashing minnows
With a coral beak and the haughty aplomb of a Prime Minister.
I can not spread white lifting wings
With a sound of calmly slitting silk and grotesquely silhouette the sun.
But I can make obeisance to your dignity.
To have deliberately achieved a samite stateliness
With a neck like that
Is a feat which I can heartily admire.

II. To a Cypress Tree

I've studied geology
And heard about the protoplasm and evolution —
You need not shush the swamp.
Your crouching gargoyle knees that seem about to shout
Can't tell me anything new.
I was there as much as you were.
It was I who remotely climbed your roots to reach the air —
You need not be so proud.
You need not point your bony fingers, either, and sigh so dolefully;
I know where life goes. I'm not afraid to die.
The wind, the sun, and the rain will take care of that.
They're excellent scavengers, but they don't brag about it.
I came here to gather dogwood and May apples
And to hear a thrush.
I wish you'd be still.

III. To a River

You are very lovely even when you are muddy.
I've caught you being grayly sullen with thunder clouds
And seen you shattered with rain.
I've seen the shadow trout waving under your logs

And the willows swaying in your depths.
You tried to drown me once,
But you were so quietly beautiful the next afternoon
That I forgave you.

IV. To a Redbird

You blow
Such sleepy, slow,
Clear crystal globes of sound
That I am startled by the scarlet jab of slashing color
Against the green-feathered elders.

V. To a Wild Wistaria

I've read in a book that you didn't exist,
That you were merely an escape, a sort of left-handed mistake.
Would that all bastard rebellions
Were as fragilely graceful,
As wildly sweet!

VI. To a Wild Rose

MacDowell makes a pink china ninny out of you
For china-brained dolls to plink-plink-plink on a piano.
I suppose
He never saw you
Strangling an oak.

VII. To a Tree Toad

You belong back in the age of reptiles;
Yet there you sit,
Obscenely blowing your pearly throat
Into an absurd bubble
To lure a clammy egg-layer,
Catching midgets,
And changing your eftish body to a jewelled lichen on my elm branch
—As if this weren't the twentieth century!

You can't fool me with your magician's trick.
There's no lichen on my Chinese elm,
And that noise is abominable.
It was impudent of you to survive the glaciers
And then squeak like that;
But you must have enjoyed the Flood immensely
From the way you're winking.

VIII. To Two Hummingbirds

If you had struck the ground
Before the consummation of that blind,
Impetuous swoon of love,
Two agile-winged, flame-throated
Rainbows would have died.

Are my spiced petunias, then,
As sweet as air-fed orchids
In Aztec Yucatan?
And did you fly
The sapphire Gulf of Mexico
To dazzle me with your aerial wooing
For that reason?

IX. To Amorous Butterflies

Such flutterings!
Such languishings!
Coy, airy denials and swooping acquiescences
Above the brilliant-lipped verbena.
Fly-away dallyings, velvet-winged intrigues,
Soft brushings of antennae,
Swift claspings of anuses.
Iridescent moments of ineffable chemistry,
Mad fleerings of ecstasy; gay, trembling seductions.
The verbena flares more vividly,
A glowing-petalled couch
For your delicate adulteries.

But I have observed
That you embrace as fervently,
As gracilely ardent,
Above slow-rotting carrion.



THE HIGHLY MORAL CAUSES OF WAR

BY LAWRENCE DENNIS

CONTRARY to current belief, the greatest danger to American neutrality in another world war will be found to lie in the domain of public conscience rather than in the field of economics. A modern democracy will only fight what it believes to be a moral war for a just cause. Conversely, a great power like the United States will remain neutral in a world war only if its people are not persuaded that justice and honor require them to fight. Hence, if the American conscience is to remain neutral, there must first be developed in the public consciousness a wholly American philosophy of American interests, rights, and duties appropriate to the real world of today. This is the world of fascism, communism, and many other and varied types of national economic planning. It is the world of Mussolini, Hitler, and Stalin as well as of Franklin D. Roosevelt and Stanley Baldwin. The American viewpoint or philosophy of foreign relations must constitute a defense for the American people against the foreign propagandist and the domestic internationalist. Both will exploit moral arguments to embroil us in war: the former in the selfish interests of his own country, which will be seeking an alliance with us; the latter for reasons too complex for brief summarization.

The world of today and tomorrow may be one in which Americans can achieve a relative degree of security — in America.

It is not, in 1936 any more than in 1917 or 1812, a world which can be made safe by a holy alliance for a single international ideal, whether that be one of royal absolutism, constitutional democracy, justice, trade, or the dictatorship of the proletariat. More particularly, this world of 1936 cannot be made safe for America by means of Secretary Hull's tariff-lowering projects. Nor can it be made safe by the realization of either Admiral Mahan's dream of naval supremacy or of President Wilson's vision of a smoothly functioning League of Nations. Free-trade internationalism is an idle dream, as may be seen in the fact that the United States is today the only great power making a serious attempt to lower tariff barriers. Admiral Mahan's ideal of world naval supremacy for one nation is no longer attainable by either Great Britain or the United States, due to changed technology (in submarine and air warfare, for instance) and to the considerable number of now highly-industrialized nations like Japan, Germany, and possibly Russia. The United States, given adequate preparedness, may possibly enjoy naval security within the waters adjacent to her territories in this hemisphere, but not in the Far East where we cannot possibly acquire and defend the requisite bases for supremacy. And equally outside the bounds of possibility is the realization of any dream of ethical internationalism, such as that of President Wilson.

This Wilsonian dream, of course, con-

sisted of a War to End Wars and make the world safe for democracy, and a *status quo* agreeable to the United States, Great Britain, and France, to be followed by the perpetual operation of a League of Nations under the domination of the afore-mentioned powers. To fulfill that iridescent dream, it was believed necessary to cast out one important personal devil, the Kaiser, with his war machine. The personal devils of 1936 for the ethical internationalist to exorcise are more numerous and powerful than in 1917, thanks largely to the peace made by the ethical internationalists. Let realistic Americans, therefore, disabuse their minds of the delusions of mercantile, naval, and ethical internationalisms. Let them accept the world as it is and try to survive in it, rather than attempt to make it conform to one all-embracing ideal.

If, as many internationalists contend but cannot prove, America can be made secure and prosperous only when and as the world is made safe and good, whether by means of free trade, the British Navy, or the League of Nations, then we might as well abandon hope. The prospects for making the world safe or good, according to any standards, were never in history darker than at present. The essentials of a realistic world view for Americans to take, if they would have the largest attainable measure of security and neutrality, include mainly the following: first, it must not be deemed a high moral duty of the American public conscience to take sides on the moral issues of every present and future foreign conflict; second, it must not be held that any wrong or aggression committed by one nation against another has to be resented and acted upon by all other nations; third, the right of other nations to settle their differences by war must be respected; fourth, it must be kept con-

stantly in mind that moral judgments against other nations logically and, in fact, usually, lead to sanctions, and that sanctions of a serious character inevitably lead to war. These points may seem mainly negative, but so is neutrality. And inconsistent as these essentials are with the predominant trends of propaganda in this country, they are not particularly new, for they may be found expressed in Washington's *Farewell Address* as well as in the state papers of many of the Founding Fathers of the Republic.

There is no more dangerous incoherence in prevailing currents of American opinion than that evidenced in simultaneous demands by large and influential groups for neutrality in foreign wars and moral intervention in foreign affairs. These groups ask that the American government do something about Mussolini's war in Africa, Japan's war in China, Mexico's policy toward the Catholic Church, Hitler's treatment of minorities, and other special foreign conditions. And those who make these demands of the American government invariably invoke moral imperatives in support of them.

What we need, if we really want peace for the United States, is a more critical control of moral ideas from which inevitably issue moral commands to fight somebody for some moral principle or other. Such control is far more essential to neutrality than any possible control over the manufacture and sale of munitions. Basic war imperatives always derive in modern nations from moral or normative ideas. Thus, if a man or a nation believes something to be wrong, that belief creates an imperative to right the wrong. It is the moral reaction to the condition rather than the condition itself which produces the war, a fact which the economic determinists have always ignored. The first action

commanded by the moral sense may be only a fairly mild censure, such as President Wilson's early notes to Germany or Secretary Stimson's expression of views on the first phase of the present Japanese War in China. But if the wrong and the moral idea about it persist unabated, action tends to grow more and more drastic until, finally, in the cases of nations, it amounts to war.

II

Here it may be remarked by some that war is essentially a manifestation of the emotions, baser passions, and appetites, rather than of morals, conscience, and intellectual ideas. But what arouses group passions? What makes mass appetites crave one objective instead of another? For instance, persecution of Jews instead of persecution of the rich? What keeps mass passions inflamed? And what concentrates the drive on a single great collective enterprise like war? The answer, obviously, is a moral idea. The moral idea guides and unifies in war. We cannot change human nature, the passions, and the appetites. But we do change human ideas which direct the emotional drives. The idea may be called No Taxation Without Representation, a Place in the Sun, Recovery of the Lost Province (or Provinces), Pan-Slavism, the Purity and Supremacy of the White or the Germanic Race, etc., etc., but idea and moral it is in every modern war. Wars are not made for business.

The fallacy of economic determinism, or calling the chief causes of war economic, inheres in the falsity of the assumption that economic situations, opportunities, and challenges are like given doses of poison which produce similar and predictable effects on similar persons. In point of fact, it is the moral idea about an economic

situation, rather than the situation itself, which determines whether the reaction is to be war or peace. Thus, to draw two illustrations from our own history: in 1812 the American people considered the conquest of Canada an economic opportunity and a moral right. They attempted it and failed. In 1917, Canada was unquestionably a richer economic prize and an easy conquest for the American nation. But in 1917, because of a change in moral ideas held by Americans on the subject of the conquest of Canada, it was not once considered. Never was a war declaration motivated less by material considerations of self-interest and more by unattainable ideals than that of the American people in 1917.

On the issue of war, individual economic interests will always be divided, some standing to gain and others to lose. Most of the great banking fortunes were started during and through war. And many great fortunes have been lost through war. It now seems clear that the national interest of this country stands only to lose from American participation in another European conflict. But the real fight over this issue will be waged in the realm of moral ideas.

Here it is to be emphasized that business or personal economic interests do not constitute a single, united community of opinion, operating an all-powerful lobby at Washington. Ultimately, the majority of economic interests will support the winning moral thesis on the question of war and neutrality. So many factors will condition the triumph of the winning moral idea about going to war, however, that the result will be a matter of chance. Hence, at this stage of the discussion, there is a chance that the present article may be on the winning side of the moral question: to fight or not to fight.

It is one of the popular errors of the times to suppose that wars are money-making affairs arranged by or for munitions makers. The philosophy of the businessman is that the customer is always right. There is as much money to be made by the munitions makers out of automobiles, radios, and innumerable other articles of peacetime consumption as out of war. If, however, the public conscience and national honor demand a war for justice, world peace, democracy, or what have you, the munitions makers, obviously, will be glad to supply at a profit the makings of such a war. And the arms people, like all other good citizens, including particularly the clergymen, writers, and other spiritual leaders, will help along the propaganda for the nation's moral crusade.

To explode the fallacy of the purely economic menace to American neutrality in another world war, it seems enough to take a calculating and non-moral view of the economic facts. The stakes of the United States in another war, naturally, will be essential imports and foreign trade profits. Well, as for essential imports, such as rubber, tin, coffee, silk, and a few other articles which we cannot economically produce in this country, it is most unlikely that a world war would shut off our supply or that our launching into the war would secure for us a better supply than we could obtain as a neutral nation. It would be the other way round if we entered the war: for we should curtail imports, except of foreign I.O.U.'s for subsequent repudiation, and we should increase exports to our noble allies. It must be remembered that the belligerents in a world war, busily striving to cut off each other's supplies, would have neither selfish reasons nor practical means to attempt seriously to blockade the United States. Besides, most of our essential imports are obtainable

from South America or the Dutch East Indies, which would be neutral if we were.

Enough, then, has been said as to physical needs driving us into another war. As for economic self-interest, it should be clear to everyone that our sales in 1914-1918 to the Allies for now worthless I.O.U.'s, so often called our economic stake in the World War, were merely gifts paid for by the American taxpayer. Well, if giving away money is an economic privilege essential to American business prosperity during another world war, it is certainly not a privilege for which we need to fight a foreign foe. We can make equivalent gifts to our army, navy, public services, or unemployed and underprivileged without fighting. The compensating acknowledgments of our own benefited interests will not have less economic value than the now worthless pledges of the British and French governments.

The widely-held notion that American businessmen could not trade for any length of time with belligerents in another war on a cash and carry basis without, thereby, sooner or later drawing their country into war, is refuted by the record of American diplomatic and trade relations with Soviet Russia. Whereas the German government offered indemnification for American losses due to submarine warfare, the Soviet government has maintained repudiation of contractual obligations to the American government and denied any redress to American citizens who were victims of expropriation by the communist revolution. Moreover, the Soviet government continues to carry on an actively conspiring international organization, the main purpose of which is the overthrow by force and violence of all capitalist governments, including, naturally, that of the United States. But these Russian denials of justice to Americans and assaults on American

rights have not got us into a war with the USSR. They did not even suffice to prevent our diplomatic recognition of Moscow. And they hinder American trade with Russia less than our tariff.

There is just one condition which could ever have brought on war between the United States and Communist Russia. That condition would have been a violent feeling on the part of the American people that justice and national honor demanded such a war. Such a feeling would have produced conflict, no matter how foolish, futile, and contrary to our interests and security it might have proved. This crisis might easily have been produced just after the World War when a wave of anti-Red fever swept over this country. Fortunately, we soon got Warren G. Harding in the White House, the last person in the country to mobilize the forces of righteousness for another moral crusade. As long as our President, the supreme dictator of our foreign relations, does not resolve American differences with foreign governments into important moral issues, there is no danger of war.

It is important to recognize that neither economic calculation nor national security dictated our declaration of war on Germany. The proof of this is that we have derived no economic profit or military security from our victory. All that we have derived has been moral satisfaction over having made a noble gesture of avenging with blood an offense against our principles. These principles are more flouted today than in 1917. On the score of security, we should have been in a stronger position in 1919 or 1920 had we allowed the belligerents to fight it out and had we spent half our war costs on building up an American army and navy. The probabilities are that there would have been no winner of the World War except com-

munism had we not intervened. The problems of social revolution and the economic dislocations throughout the world would almost certainly have paralyzed any military victor and made a successful attack by him on a prepared United States wholly out of the question. It is futile to speculate as to what might have happened had Germany won. It is, however, very much to the point to emphasize what has not happened as a result of Germany's defeat. For one thing, security against Germany is about the last thing that can be said to have resulted from that defeat.

All the evidence accumulated in the years since 1917 establishes overwhelmingly the proposition that we fought Germany under the compulsion of moral or ethical imperatives and not in obedience to any rationally demonstrable dictates, either of economic self-interest or national security. It is a great pity that the advocates of war are not restricted to the use of economic arguments in favor of going to war. Such arguments would at once put people in the wrong mood. It would turn their mind to arithmetical calculations of probable costs and profits and losses. Moreover, opponents of the struggle would have much greater tactical advantages on an economic than on an ethical terrain. Norman Angell proved most impressively in his *Great Illusion*, written some five years before the outbreak of the World War, that war could not pay the winners. The futility of that brilliant book inhered in its utter irrelevance to the moral or ethical imperatives which were relentlessly driving the chancelleries of Europe towards the next war. Then, again, if economic arguments only could be advanced in favor of war, the opposition would be less handicapped by prevailing taboos. Custom allows several mutually contradictory opinions as to what is good business, but

tolerates no such diversity of opinion as to what is just, right, honorable, or patriotic. Once the advocates of war succeed in mobilizing God and justice on their side, it's all over but the shouting: war is inevitable. It augurs ill for our future neutrality that our idealists are already lining up the Almighty and righteousness against certain governments in Europe and Asia.

III

Woodrow Wilson could never have convinced the American people in 1917 that we should join the Allies to save our loans and foreign trade. But it was an easy matter for him to persuade the American people that the invasion of Belgium and the sinking of American ships by German submarines were moral outrages which had to be avenged with blood. Mr. J. P. Morgan recently put it neatly in his testimony before the Nye Committee when, with all sincerity and disingenuousness, he said that we had to get into the war "to save our souls". Similarly in 1936, President Roosevelt could easily persuade most of the American people that to save our souls, sometimes also called face, we should have to make war on Hitler or Mussolini.

Of course, had Mr. Wilson been susceptible to the influence of a wholly different set of interests, ideas, and personalities, he might easily have so conducted American relations with the Allies up to 1917 that their repeated violations of neutrality rights would have inflamed American sentiment to demand a war for justice, or face-saving, against the British Navy, exactly as was demanded and had in 1812. If Mr. Wilson had taken such a stand it is certain that Germany would never have provoked American susceptibilities with the final phase of the submarine warfare.

In 1936 we have potentially as good a

moral set-up for another American entry into a European war as was created in 1914 and 1915 by the invasion of Belgium and the sinking of the *Lusitania*. The present moral set-up consists of the idea that Japan, Italy, and Germany have outrageously violated international law and treaty obligations, particularly those of the Covenant of the League of Nations, which we would not sign but the violation of which by other countries appears to so many good Americans a highly immoral act crying unto the conscience for vengeance. It is overlooked that all our late Allies indebted to the United States Government have unilaterally broken their voluntarily assumed debt covenants with this government. Austen Chamberlain has attempted to condone this breach of contract by the British government on the grounds that no nation is bound by its promise to do the impossible and that continued payment of the British debt to the United States was impossible. So, he reasoned, while Germany's treaty violation, being unilateral and most unnecessary, was immoral, Britain's breach of contract was not immoral. To demolish this piece of casuistry, it is necessary only to ask whether England would now be willing to abide by an arbitral verdict by neutrals on England's present capacity to pay her debt to the United States.

The moral conditions for the next American crusade to Europe for Anglo-French righteousness become fully apparent if one analyzes some of President Roosevelt's censures of foreign governments. To understand perfectly the danger involved, it is necessary to go back to Grotius and perhaps even to Aristotle for first principles or normative ideas in the matter of ethics, law, international morality, and neutrality. Grotius, who is usually referred to as the father of modern international

law, in his four-volume *Treatise on the Laws of Peace and War*, written in 1625, conceived of neutrality as the duty of those not engaged in a war "to do nothing whereby he who supports a wicked cause may be rendered more powerful, or whereby the movements of him who wages a just war may be hampered".

Well, Grotius, being a theologian as well as a jurist, had no difficulty in determining which was the just and which the wicked cause. But during the three hundred years since his death, the world has come no nearer to agreement on one theology or one body of law than it was in his time. In fact, it has moved the other way, for in the time of Grotius the moral authority of the Catholic Church in the international field was greater than it is today. The simplest proof that an ethical internationalism has never been more remote from reality during the past five hundred years than at present is to be found in the life and death struggle now being waged between the mutually exclusive doctrines and material forces of liberalism, fascism, and communism.

It seems evident today that Grotius and the long line of his distinguished successors, while contributing enormously to the art and science of government, have developed nothing in the way of legal theory or working institutions which can help the United States remain neutral in another war or enable the statesmen of the world to avert another war. Any workable formula of peace or neutrality must be arrived at independently of, and often contrary to, the normative rules of law. This does not mean that law and judicial process have no useful function in international relations. It merely means that they have their limitations. It means that law and judicial process can be useful only insofar as no nation or large social group within a na-

tion challenges the law and the working of the judicial process. Once a nation or a social class within a nation, strong enough to make a war or a revolution, challenges a treaty, law, contract, or ruling of a judicial body, there are just two alternatives: non-judicial compromise or bloody strife. The challenged law, treaty, contract, or principle must be repealed or modified by compromise in a way to conciliate the parties who will otherwise fight. Or else there must be a war, international or civil, between the law enforcers and the law challengers. When this point in human affairs is reached, it can serve no useful purpose other than that of inflaming passions to invoke rules of law or to try to prove by one's own rules that a challenged rule is right. Law is not a great unique principle of the world, above all men, to be invoked successfully against all those who challenge it. Law is as much the creation of fickle, changing human tastes as women's fashions. Men make laws. Different groups of men make different laws. When social groups or nations clash as to what is law, right or just, it is obvious that the disagreement cannot be settled by appeal to the respective and mutually contradictory theories of justice upheld by the disputants. Hence, in these cases, judicial settlement is impossible.

IV

We hear altogether too much nowadays about the analogy between international and municipal law. There are some similarities between judicial process in international and domestic affairs, it is true, but no good purpose is served by thinking in terms of an analogy between the People *vs.* John Dillinger and the League of Nations *vs.* Germany, Japan, and Italy. It takes only a policeman's bullet or a few

yards of hangman's rope to dispose of the individual outlaw. Thereafter, society does not have to get on with him and gets on nicely without him. But a great power, as a practical matter, quite aside from moral considerations, cannot be liquidated. Nor will defeat in a war solve the moral problems created by an outlawed nation. Punishment has never had much success in reforming individuals. Why expect it to reform nations? What, then, is the sense or practical value of the impressive League ceremonial of judicially branding a great power like Germany, Italy, or Japan with moral guilt? Such pious and rhetorical gestures serve only two purposes: that of propaganda for a war on the outlaw, and that of rallying the people of the outlawed country to support the wicked government. In other words, these gestures make for bigger and better wars.

The advocate of a peace-by-law formula, in the statement of his case, rarely mentions a war to enforce peace and punish the lawbreaker as a necessary feature of his program of action. The trickiness of his case inheres in its rational and emotional appeal for approval of the abstract ends of peace and justice without, at the same time, explicitly asking endorsement of the necessary means. The necessary means, of course, is a war of law enforcement. Once this type of ethical internationalist has you pledged to endorsement of his ideal of peace and justice under law, as his crowd defines law, he has you committed to his war of law and treaty enforcement. Of course, if law could be enforced by bluffs and if no one ever called a bluff, the ethical internationalist would have a perfect case. But the events of the past twelve months show that a moral bluff approved by a vote of fifty-odd member nations of the League can only serve to furnish Hitler or Mussolini with one of

the few laughs that brighten their strenuous and worried lives.

Back in 1911, President Taft, later an ardent supporter of the League of Nations, made a fight for the Knox-Bryce Arbitration Treaty. The fight turned on the question whether it should be left to foreign arbitrators to decide whether the dispute was "justiciable". Our Senate, of course, wisely killed the "all-in" type of arbitration desired by President Taft and reserved its constitutional right to decide, as the cases might arise, what questions it would submit to arbitration. But, even if the Senate had committed the United States to an "all-in" type of agreement, it is certain that no American government would have carried out an engagement to submit to foreign arbitration California's anti-Japanese land laws.

The League is grounded on the principle of peace-by-law. Hence the peace problem, within the framework of the League, boils down to one of law and treaty enforcement. Today law and treaty violations in defiance of this theory are the condition of the hour. What is the ultimate League solution? Obviously, it is a war to punish and end treaty violation. President Wilson voiced that answer in 1917 when he declared "There is only one way to insure the world of peace, that is by making it so dangerous to break the peace that no nation will attempt it". How unrealistic that sounds twenty years later. The reply of Japan, Germany, and Italy to the League peace formula leaves the internationalists only an undignified climb-down off their moral high-horse or another world war of law and treaty enforcement. If it be conceded that another world war can serve no good moral purpose, what was the sense in climbing up on the high-horse to begin with?

Normative internationalism, or the

dream of world peace through the reign of law and the enforcement of treaties (imposed at the point of the bayonet or by means of economic pressure), is ethical, utilitarian, and perfectly rational, granting the major premise—which is false. The premise is the unity and uniqueness of the legal and moral order the world over. With Aristotle, it is held, correctly enough, that “the things which make men alike are more important than the things which make men different”. In the words of Sir Alfred Zimmern, perhaps the ablest and certainly the most scholarly English apologist for the League, it is postulated that there is “a harmony of understanding in a world of unassailable diversity”. The truth, of course, is that every nation or people has a sense of justice and a public conscience. The fallacy is the notion that there is or can be an international unity or agreement among these different consciences. To demonstrate this fallacy, it is necessary only to point out the legal rights and status of Japanese in California, Jews in Germany, Negroes in Alabama, natives in South Africa (who are not even allowed to walk on the sidewalks with the Europeans), and kulaks in Russia who, because they try to engage in private business, are denied the most elementary civil rights. The fact that all nations are in substantial agreement as to the immunities and protection of diplomatic agents abroad (about the only important subject of universal agreement) is no reason for postulating the unity of the moral and legal order in a world of communism, fascism, and race inferiority theories, of which the United States has always had its full quota.

V

Both Plato and Aristotle wrestled with the question: What is Justice? So far as poli-

tics are concerned, Aristotle reached the comforting conclusion that justice is stability in a social order in which the Aristotles behave as they like, on the whole a superior way of behaving, while the slaves do most of the dirty work. This has always been the content of the good life and justice for the Aristotles and, also, the Thomas Jeffersons. Ever since Aristotle, most political theorists and jurists have followed his quest after absolute justice and found it in that state of affairs which best suited the given thinker. Meanwhile, however, the slaves or underdogs have gone on making trouble for the ruling class or nation laying down the rules of justice. The underdogs have been the American colonists of 1776, the American farmers of 1936, Russian *moujiks*, war-guilty Huns, Dagoes, inferior Japanese, industrial proletarians, and so on. A long line of thinkers like Machiavelli, Hobbes, Austin, and Nietzsche, who have done some hard thinking about relations between masters and slaves or the superiors or inferiors, have remarked in different ways that it has always taken might to make right.

To modern psychology and medical science we are indebted for some understanding of the fact that most of the noble prose written since Plato in defense of the quest after the absolute in ethics and truth, has been largely a matter of finding rationalizations for subjective desires in a world of conflicting human purposes. Propaganda is a modern word for it. Once a group or a nation achieves some measure of agreement among its more dominant members as to what suits their interests and preferences, this consensus is rationalized over the years into concepts of absolute justice or right, and the masses are duly indoctrinated by the priests and teachers with these concepts. The results are systems of ethics, theology, morals, and

customs with an appropriate apparatus of laws and governmental machinery to enforce them. As long as the dominant group gets away with this in a nation, there is law and order. When they fail there is a revolution.

Thomas Jefferson thought there should be a revolution every few years, which is, doubtless, a little excessive. Nietzsche seemed to consider war, pretty much all the time, a biological, ethical, and social necessity. This view about the necessity for more or less perpetual war is now supposed to be peculiar to the fascists. As a matter of fact, its most widely-propagated expression during the past hundred years has been made by Englishmen. It was given lyrical expression by the banjo bard of Empire, Rudyard Kipling, journalistic expression by the Northcliffe yellow press, and pseudo-scientific formulation by Herbert Spencer in his social version of Darwin's survival of the fittest and natural selection. (In Spencer's time, of course, England always won wars and felt no menace from the lesser breeds without the law.) Professor Lasswell summarizes it tersely when he says that "Politics is the study of who gets what, when and how".

The sated nations now want to stabilize their privileged situations and legally guarantee their conquests of the past two or three centuries. This is entirely understandable. But they must not expect that the underprivileged nations will accept adjudication of the issues in terms of the legal rationalizations of the winners. Why should Americans fight to protect the land-grabs of Britain and France?

Mr. H. L. Mencken is correct in pointing out in his recent *Treatise on Right and Wrong* that what is right or wrong in personal conduct in capitalist America is likely to be similarly right or wrong in Fascist Italy or Communist Russia. But

this consensus of opinion about the rightness of fighting for one's country or keeping one's word, and the wrongness of cheating or beating one's wife, affords no guidance as to how much public utilities should charge consumers, how much workers, managers, and investors should take from each other and withdraw from the common pot of current income, or as to where the national boundaries of Europe and the colonial boundaries of Africa should be drawn.

How can there ever be an internationally valid conventional or judicial basis for determining what is a fair price, a living wage, or the proper location of a territorial boundary? To the employee, whether of a Soviet state industry or the United States Steel Corporation, a living wage must mean as much as he can get. His wants are nearly insatiable and his wage is the chief means of satisfying them. To the employer, however, whether a socialist state or a private capitalist, both equally desirous of retaining a large part of the product of labor for further capital investment, a living wage can hardly mean the full product of labor or as much as the worker can exact. How can there be agreement as to what is just in a war situation in which: Nation A has naval advantage and is seeking to starve Nation B into submission; Nation B is trying to break the blockade with submarine or air warfare and so get food as well as munitions; and Nation C is anxious to profiteer with safety on maximum war trade with both A and B? It is about such questions as these that wars and revolutions are fought. Clearly it throws no light on the problem to proclaim that right is right and wrong is wrong, for it is over the question, What is right? that classes and nations usually fight.

The pattern of distribution of territories, natural resources, and economic opportu-

nities is the real subject of dispute. The fight is on as soon as the several parties in interest resolve their several claims into moral imperatives. As a practical matter, the pattern of distribution must always correspond in the long run to the constantly changing patterns of force pressures. These pressures can operate through voluntary bargaining or through fighting. Therefore, these major pressures cannot be regulated by judicial process, whether of the World Court, the Council of the League, or the courts of any country. The ends of peace are served when these pressures effect adjustments through bargaining rather than fighting. This may mean the modification of laws through group pressures acting on the American Congress. Or it may mean a conference of Ambassadors or Prime Ministers rewriting treaties and redrawing the map of the world. But, in the working out of these adjustments, there is nothing for the judge or judicial process to accomplish, since it is the function of the judge to apply and not to make law.

VI

It is easy to becloud the issues by citing many impressive achievements of jurisprudence where fundamental ideas of justice and national interest have not clashed. Jurisprudence settled satisfactorily the Alabama Case between the United States and Great Britain and the Dogger Bank Case between England and Russia, as well as some five thousand other international disputes through arbitration. In addition, of course, jurisprudence has settled millions of private disputes. But the decision of the United States Supreme Court in the Dred Scott Case holding that slavery was legal and that Congress was without power to prohibit it in the territories of the United

States, so far from settling the slavery question, made the Civil War inevitable. There was no legal or peaceful way of settling the slavery question and judicially upholding the Constitution for the excellent reason that the drafters of our system had not intended to provide legal facilities for the abolition of slavery, but rather to protect it. A constitutional amendment to end slavery was impossible because of the three-fourths majority of the states required for ratification. A diplomatic compromise on the basis of emancipation and indemnification might have been inhibited by the Supreme Court on the same ground on which the Court recently threw out the AAA, namely, that Congress was without power to levy taxes to carry out the policy. If Congress is without power to tax to regulate agriculture, it would certainly have been held by Justice Taney and his associates to be without power to tax to pay for the emancipation of the slaves. But Congress was not without power to raise revenue for a war, in the course of which the *fait accompli* of emancipation could be put over just as both Hitler and Mussolini have recently been putting over a series of changes which they could not have negotiated through the machinery of the League. The framers of the Constitution did not mean to provide facilities for the termination of slavery and the drafters of the Covenant of the League of Nations did not mean to provide facilities for the legal changing of the international *status quo*. Hence the inevitability of the unilateral *fait accompli* of a change in the *status quo* as an alternative to doing the same thing in the course of, or as a result of, war.

The Alabama Arbitration was possible because England, the defendant, had no interest at the time in upholding the right of the privateers of the extinct Southern

Confederacy to prey on American commerce and to be outfitted in British waters during a past period. At the time of the arbitration, however, England did have an obvious interest in paying the arbitral award of \$15,500,000 for the good-will and trade of the United States. In the Dogger Bank Arbitration, Russia cherished no legal doctrine that it was right for Russian warships to take pot shots at British fishermen in a fog, or to mistake them for Japanese torpedo boats. But the Southern Confederacy did warmly cherish a theory of justice, ethics, morals, economics, and law which held slavery to be sacred under the Constitution and the Holy Scriptures, as well as essential to the welfare of the South. That theory, so far as ethics and morals went, had the support of Moses, Aristotle, and Saint Paul, and, so far as law was concerned, it had the endorsement of the United States Supreme Court, the bulwark of American liberties.

Agreement along the lines of bargaining or trading on the basis of give and take or a *quid pro quo*, rather than legal adjudication of conflicting demands, is the usual way of effecting human adjustments. It is only when a nation is unwilling to accept any further the best results it can obtain from diplomatic negotiation, that it turns to war. The poorer the nation and the weaker its trading power, the more likely it is to turn. If it does, it must be met with bullets and not legal briefs. The League briefs against Italy proved of very little use to Haile Selassie. The danger for peace is great when the privileged nations with strong bargaining power, having much and needing little, fail to recognize that the weak and desperate nation has always open to it the resort to war. The mischief

of the cult of the League and legal formulas for peace is that they encourage the delusion that the League and such formulas can prevent war. At best, the League can only punish a resort to arms. It cannot prevent war.

Literally there is but one way to prevent war and that is to keep nations from falling into such a state of dissatisfaction with the conditions of peace that they will prefer trying war. The punitive theory of war-prevention is contrary both to reason and experience. A bad peace by diplomacy is better than the best holy war. The British League enthusiasts who killed the Hoare-Laval peace proposal, which would have ended the Italian-Ethiopian conflict, have not defended Haile Selassie, restrained Mussolini, or done anything to insure a better agreement than that which they overwhelmed with a wave of righteous sentiment.

If an American feels that his country ought to fight to bring about the world reign of any set of principles or rules of justice not now being enforced, he has a perfect right to advocate that point of view. But let him be intellectually honest and reasonably intelligent. Let him propose to the American people a holy alliance of those nations which hold the same view. Let him then propose that this alliance make a holy war to conquer all the infidel nations and, thereafter, incorporate them into the holy empire of the righteous nations, in which these principles of law and justice would be enforced. But let us have done with the impossible assumption that sovereign nations can ever be bound by principles or pledges imposed at the point of the bayonet, once the bayonet is removed.

HAIR

A Story

BY JESSE STUART

IF YOU'VE never been to Plum Grove then you wouldn't know about that road. It's an awful road, with big ruts and mudholes where the coal wagons with them nar-rimmed wheels cut down. There is a lot of haw bushes along this road. It goes up and down two yaller banks. From Lima Whitehall's house in the gap it's every bit of a mile and a half to Plum Grove. We live just across the hill from Lima's house. I used to go up to her house and get with her folks and we would walk over to Plum Grove to church.

Lima Whitehall just went with one boy. I tried to court her a little, but she wouldn't look at me. One night I goes up to her and I takes off my hat and says: "Lima, how about seeing you home?" And Lima says: "Not long as Rister is livin'." Lord, but she loved Rister James. You ought to see Rister James — tall with a warty face and ferret eyes, but he had the prettiest head of black curly hair you ever saw on a boy's head. I've heard the girls say: "Wish I had Rister's hair. Shame such an ugly boy has to have that pretty head of hair and a girl ain't got it. Have to curl my hair with a hot poker. Burnt it up about, already. Shame a girl don't have that head of hair."

Well, they don't say that about my hair. My hair is just so curly I don't know which end of it grows in my head until I comb it. I've prayed for straight hair — or hair of a different color. But it don't do

no good to pray. My hair ain't that pretty gold hair, or light gold hair. It's just about the color of a weaned jersey calf's hair. I'll swear it is. People even call me Jersey.

There was a widder down in the Hollow and she loved Rister. Was a time, though, when she wouldn't look at him. She was from one of those proud families. You've seen them. Think they're better'n everybody else in the whole wide world — have to watch about getting rain in their noses. That's the kind of people they were in that family. And when a poor boy marries one of them girls he's got to step. They are somebody around here and they boss their men. So Rister James went with the woman I loved, Lima Whitehall, when he could have gone with Widder Ollie Spriggs. Widder Ollie wasn't but seventeen years old and just had one baby. Rister was nineteen and I was eighteen. Lima was seventeen. If Rister would have gone with Widder Ollie it would have made things come out right for me. God knows I didn't want Widder Ollie and she didn't want me. I wanted Lima. I told her I did. She wanted Rister. She told me she did.

Widder Ollie was a pretty girl — one of them women that just makes a good armful — small, slim as a rail, with hair pretty as the sunlight and teeth like peeled cabbage stalks. She'd have made a man a pretty wife. She might not have made a good wife — that's what Effie Spriggs told

me. Effie is John Spriggs' mother and Ollie married John when she was fifteen. Effie said Ollie broke a whole set of plates, twelve of 'em, on John's head over nothing in God Almighty's world. And he just had too much honor in his bones to hit a woman with his fist. He just stood there and let her break them. And when she got through, John was kind of addled but he got out of the house and came home to his mother Effie, who is Widder Effie here in the Hollow. (She tried to pizen her man, but he found the pizen in his coffee and left her.) Widder Ollie went to live with Widder Effie later. They had a plenty — a big pretty farm down in the Hollow, fat barns, and plenty of milk cows. They were kindly rich people with heads so high you couldn't reach them with a ten-foot pole.

Widder Ollie, as I said, wouldn't look at Rister at first. She laughed at him when he used to hoe corn for her pappie for twenty-five cents a day. She made fun of poor old Rister's snaggle-toothed mother and said she looked like a witch. She laughed at Rister's pappie and said he looked like old Lonesy Fannin. That was an old bald-headed horse-doctor who used to go from place to place pulling the eye-teeth out of blind horses, saying they would get their sight back. And she said all the children in the James family looked like varmints. She'd laugh and laugh at 'em and just hold her head high. Then suddenly she was after Rister to marry him. But that's the way — pride leads a woman to a fall. And after she gets up, with a little of the pride knocked out of her, she's a different woman.

But I didn't blame Rister for not wanting her when he could get Lima. Lima was the sweetest little black-headed arm-load you ever put your two eyes on. I was in the market for Lima the first time

I ever saw her. And I guess that was when we were babies. But I didn't know how to get her. I think I was a durn sight better-looking boy than Rister. It's funny how a woman will take to an uglier feller that way and just hold on to his coat-tails whether or not. Hang on just as long as she can. I always thought the reason Lima did that was because she knew Widder Ollie wanted Rister. And if there'd a been another girl around in the district in the market for a man *she* would have wanted Rister because Lima wanted him and Widder Ollie wanted him.

But nobody was after me. I was left out in the cold — just because of my hair, Mom always told me. Mom said I was a good-looking boy all but the color of my hair, and women wouldn't take to that kind of hair. Of course, it don't matter how ugly a man is, his Mom always thinks he's the best-looking boy in the district.

II

I used to go down past Lima's house last June when the roses were in bloom, and the flags. Them blue and yaller flags just sets a yard off and makes it a pretty thing. Now Rister never saw anything pretty in flowers. He never saw anything pretty in a woman's voice or the things she said, or the shape of her hands. He would watch a woman's legs — and go with them far as he could. He was that kind of a feller. I knew it all the time. I'd pass Whitehall's house. It would be on a Wednesday when Mom would run out of sugar or salt and I'd have to get on the mule and go to the store and get it. Rister would be down to see Lima on a weekday. Now God knows, when a man is farming he don't have no time to play around with a woman like a lovesick kitten. He's got to strike while the iron is

hot. If he don't he won't get much farming done. When I saw Rister and Lima I reined my mule up to the palings. And I started talking to them as if I didn't care what they were doing. But I did care. I says: "How you getting along with your crop, Rister?"

"Oh, pretty well," he says. "Nothing extra. Terbacker's getting a little weedy on me. Too wet to hoe in it today. Ground will ball up in your hand. Too wet to stir the ground when it is like that."

Well, I knew he was a lying. But I never said anything. I know when ground is wet and when ground ain't wet. I'd been out working in it all morning. It was in good shape to work. Rister used to be a good worker. But you know how a man is when he gets lovesick after a woman. Take the best man in the world to work and let him get his mind on a woman and he goes hog-wild. That was the way with Rister.

While I was there looking over the palings, Lima went right up into his arms. He kissed her right there before me. Mom always says a woman that would kiss around in front of people was a little loose with herself. Well, I would have told Mom she lied about Lima if she'd said that about her to my face. I just didn't want to believe anything bad about Lima. I wanted her for my wife. But, men, how would you like to look over the palings from a mule's back and see your dream-wife in the arms of a man bad after women — right out among the pretty roses and flags — and her right up in his arms, her arms around his neck, and his arms around her waist pulling her up to him tight enough to break her in two. And he would say to her: "Oo love me, oo bitsy baby boopy-poopy oo?" And she would say: "I love U, U bitsy 'itsy boopy-poopy oo. I love my 'ittle 'itsy 'itsy bitsy turley-headed boopy-

poopy oo." God, it made me sick as a horse. It's all right when *you're* loving a woman. It don't look bad to *you*. But when you see somebody else gumsuck around, then you want to get the hell out of the way and in a hurry. It's a sickening thing.

I reined my mule away and I never let him stop till I was a mile beyond the house. I went on to the store and got the sugar. That was Wednesday night and Prayer-Meeting night at Plum Grove, so I had to hurry back and do up the work and go to Prayer Meeting.

I'm a Methodist — I go to church — but God knows they won't have my name on the Lamb's Book of Life because I saw the fiddle, play set-back, and dance at the square dances. Some of them even say terbacker is a filthy weed and none of it will be seen in heaven. Some won't even raise it on their farms. But I go to church even if they won't have me until I quit these things. I just up and go to see and to be seen — that's what we all go for. It is a place to go and about the only place we got to go.

I hurried and got my work done. I put the mule up and fed him. I helped milk the cows. I slopped the hogs, got in stove-wood and kindling. I drew up water from the well — got everything done around the house and I set out to church. Well, when I got down to Whitehall's place, there was Lima and Rister. They were getting ready to go. I gave them a head start and followed after. But I hadn't more than walked out in the big road until here come Widder Ollie and that baby of hers. He was just big enough to walk a little and talk a lot. We started down the road. I said to Ollie: "Rister and Lima's just on ahead of us."

And Ollie says: "They're on ahead? C'mon, let's catch up with them. Take my baby boy, you carry him awhile."

So I took her baby and started in a run with her to catch up with Lima and Rister. You know, a woman will do anything when she loves a man. I could tell Widder Ollie loved Rister. She was all nervous and excited. She had her mind set on getting Rister. And when a woman has her mind set on getting a man she can about get him. That made me think if she could get Rister I'd have a chance to get Lima. That was the only reason I'd be carrying a widder's baby around. I had heard that baby was the meanest young'n in the world. Now I believed it. It had been spiled by them two women—its mother and its grandmother. He would kick me in the ribs and say: "Get up hossy! Get up there! Whoa back, Barnie." And when he would say "Whoa back" he would glomb me in the eyes with his fingers like he was trying to stop a horse. Then he would say: "Get up, hossy, or I'll bust you one in the snoot." And then he started kicking me in the ribs again. I was sweating, carrying that load of a young'n and keeping up with Widder Ollie. I felt like pulling him off my back and burning up the seat of his pants with my hand.

We saw them—Rister had his left arm around Lima's back and she had her right arm around his back. They were climbing up the first hill, that little yaller hill on this side of the haw bushes. It was light as day. The moon had come up and it lit the fields like a big lamp. Pon my word and honor I couldn't remember in all my life a prettier night than that one. You ought to have seen my corn in the moonlight. We had to pass it. I was glad for the girls to go by it and see what a clean farmer I was and what a weedy farmer Rister was. Not a weed in any of my corn. Pretty and clean in the moonlight and waving free as the wind. Lord, I felt like a man with religion to see my corn all out

of the weeds and my terbacker clean as a hound dog's tooth—my land all paid for—not a debt in the world—didn't owe a man a penny. Raised what I et and et what I raised. All I needed was a wife like Lima. She'd never want for anything. And I thought: "What if this baby on my back was mine and Lima's? I'd carry him the rest of my days. I'd let him grow to be a man a-straddle of my back. But if I had my way now, I'd bust his little tail with my hand."

We got right up behind Rister and Lima. And they looked around. Widder Ollie had me by the arm. I had her baby on my back yet. God, it hurt me. But I held the baby while Lima won the battle. You know women are dangerous soldiers. They fight with funny weapons. The tongue is a dangerous cannon when a woman aims it right. We just laughed and talked. We just giggled before Rister and Lima got to giggling at us. I was afraid they'd laugh at me for carrying the baby. They went on up the next hill—us right behind them. We went past the haw bushes and on to church. We just laughed and laughed and went on crazy. That baby on my back, a-making a lot of noise. We went up the hill at the church and the boys said: "Look at that pack mule, won't you?"

Well, to tell the truth I'd ruther be called a pack mule as to be called Jersey. So I just let them whoop and holler to see me with Widder Ollie and carrying her baby. Everybody out on the ground laughed and hollered enough to disturb the Methodist Church. Church was going on inside. But there was more people out in the yard than there was inside. They could see more on the outside than they could hear going on inside. I just wagged the baby right in the church house. Everybody looked around and craned their necks.

Rister and Lima acted like they were ashamed of us. Tried to sidle out of the way and get us in front so they could dodge us. But we stayed right with them. They set down on a seat. We set right beside them as if we were all together. People looked around. I had Widder Ollie's boy in my lap. He tried to hit the end of my nose. I had a time with him. I could see the girls whisper to one another. They watched us more than they did the preacher. He was telling them about widders and orphans. He was preaching a sermon on that. Rister would flinch every now and then. He wanted to be on another seat. But he couldn't very well move. So he just set there and took it. And I took it from that young'n. But I thought: "There'll be the time when I come back to this church house with a different woman. I'll come right here and marry her. It will be different from what they see tonight."

III

We set right there and listened through that sermon. Boys would come to the window and point to me from the outside — being with a widder woman who hadn't been divorced from her man very long. Boys around home thinks it's kindly strange to go with a widder woman — but I don't think so. They say a body is in adultery. But when two can't go on loving each other and start breaking plates — twelve at a crack — it's time they were getting apart. Especially when two has to go through life tied together when the mother-in-law tied the knot. I just felt sorry for Widder Ollie. She had always loved Rister and would have married him to begin with if it hadn't been for that mother of hers telling her so many times that she got to believing it that she was better than any man in the Hollow.

Well, they got us in front coming out of the church house. I thought we'd better take advantage of getting out first. So we took the lead going back. Boys just giggled and hollered at me when I come out of the house with the baby on my back. I didn't care. I was seeing ahead. So we just went out the road. The moon was pretty on the fields. A thousand thoughts came into my mind. I didn't want Rister to have Lima. I loved Lima. God, I loved her. Widder Ollie said to me going home: "Don't think it has done much good for both of us tonight. We'll have to think of something different. I love that boy till it hurts. I could love him forever. I can't get him: Lima don't love him. She holds him because I want him. That is the way of women. You want what you can't get. When you get what you want you don't want it. I have always loved Rister. But my people wanted me to marry John. I married him. My mother married him. Life is not worthwhile without Rister. And here you've been out carrying my baby around and letting people talk about you so you could help me get Rister and you could get Lima."

That was right. Life was not fair. The night so pretty. The moon above my clean corn. My house on the hill where I would take Lima. I needed a wife. I wanted the woman I loved. I loved Lima Whitehall. And when we passed her home I wouldn't look across the palings at the roses. I remembered the week-day I passed and saw Rister out there with her. I just took Widder Ollie on home. And when we got to the gate I said: "Widder Ollie, I am Rister kissing you. You are Lima kissing me. You are Lima for one time in your life. I am Rister one time in my life. Shut your eyes and let's kiss. Let's just pretend." So we did.

Then I started on the long walk home

up the branch. I had to pass Lima's house. Moonlight fell on the corn. Wind blew through the ragweeds along the path. Whip-poor-wills hollered so lonely that they must have been in love with somebody they couldn't get. I went in Lima's yard to draw me a drink of water. And right by the well-gum stood Rister and Lima. They weren't a-saying a word. They didn't see me; I didn't let myself be known; I just stepped back into the moonshade of one of the yard trees. I just stood there and watched. Lima went into the house after kissing and kissing Rister. When Lima left, Rister stood at the well-gum. He looked down at the ground. He kicked the toe of his shoe against the ground. There was something funny about the way he was acting. He kept his eye on the upstairs winder in that house. It had one of them pole ladders — we call them chicken ladders — just one straight pole with little tiny steps nailed across it. It was setting up back of the house — from the ground to the winder.

Then, suddenly, Rister let out one of the funniest catcalls you ever heard. It would make the hair stand up on your head. It wasn't a blue yodel, but it was something like a part of that yodel Jimmie Ridgers used to give. He done it someway down in his throat. It started out like the nip-nip-nipping of scissor-blades, then it clanked like tin cans, then like a foxhorn, way up there high, then it went like a bumblebee, then it rattled like a rattlesnake, and ended up like that little hissing noise a black snake makes when it warns you. I never heard anything like it. If it hadn't been for me knowing where it had come from I'd set sail off of that hill and swore it was a speret that made the noise. Rister gave the catcall once — held his head high in the air — no answer. So he gave it again. And from up-

stairs came the answer — a soft catcall like from a she-cat. So he takes right out in front of me and runs up that ladder like a tom and pops in at the winder.

I thought I'd go home and get the gun and come back and when he came down that ladder I'd fill his behind so full of shot it would look like a strainer. Then again I thought I'd go over and pull the ladder down and make him go down the front way. God, I was mad! But I didn't do neither one. The whole thing made me so sick I just crawled out of the moonshade and sneaked over the hill home. I didn't know what to do. It just made me sick — sick at life. I just couldn't stand it. I couldn't bear to think of Lima in the dark upstairs with Rister.

I thought about taking the gun and going back and blowing Rister's brains out when he came back through that upstairs winder. I could have done it — God knows I could have done it. But they'd have got out the bloodhounds and trailed me home. Lima would have known who did it. I thought there must be a way for me to get Lima yet, and for her to come to her senses. But then I thought they are up in that dark room together. Lord, it hurt me. Pains shot through and through me. Life wasn't worth the pain one got out of it. I had something for her — a farm, a little money, clean crops, and plenty of food for cold days when the crows fly over the empty fields hunting last year's corn-grains. Rister didn't have nothing to take a woman to but his father's house, and den her with his own father's young'ns.

I went upstairs and got the gun from the rack. I put a shell into its bright blue barrel. Just one shell for Rister. I would kill him. Then I put the gun down. I would not kill Rister. I could see his blood and brains all over the wall. Old Sol

Whitehall would run out in his night-shirt. He would kill Lima if he knew. And I wouldn't get Lima. It is better not to let a man know everything — it is better to live in silence and hold a few things than to lose your head and get a lot of people killed. I put the gun back, took the shell out of it, and set it back on the rack. I went to bed. But I couldn't sleep. I could see Lima and Rister in a settee in the front yard, kissing. I could hear that catcall. I memorized it. I said it over and over in bed. It came to me — every funny noise in it. I called it out, several times. It made the hair stand up on my head. It waked Pa up and he said: "I've been hearing something funny in this house or my ears are fooling me. Funniest thing I ever heard. Like a pheasant drumming on a brushpile. Goes something like a rattlesnake too. I can't go to sleep." But Pa went back to sleep. I kept my mouth shet. I just laid there the rest of the night and thought about Rister and Lima.

I didn't eat much breakfast the next morning. I went out and got the Bernie mule and I started plowing my terbacker. I couldn't get Lima off my mind. I prayed to God. I did everything I knew to do. And it all came to me like a flash. It just worked out like that.

So I waited. I just waited about ten hours. I plowed all day, worked hard in the fields. After I'd fed the mule, et my supper, done up the rest of the work, I slipped back up the path that I had come over the night before.

All the lights in the Whitehall house were out. The ladder was up at the winder at the back of the house. Everything was quiet. The old house slept in the moonlight. The hollyhocks shone in the moonlight. Old Buck came around and growled once or twice. But he knew me when I patted his head. He walked away con-

tented. Brown, he was, in the moonlight — like a wadded-up brown carpet thrown among the flowers.

I held my head in the air, threw my chin to the stars, and gave that catcall — just as good as Rister gave it. Lima answered me from upstairs. The dog started barking at the strange sounds. My cap pulled low over my funny-colored hair I climbed the ladder and went in through the winder. The dog barked below. I was afraid. If Sol Whitehall found me there he would kill me. But I had to do this thing. I just had to.

Lima said: "Oo bitsy 'itsy boopy-poopy oo. My turley-headed baby boy."

I kept away from the streak of moonlight in the room. . . . Well, no use to tell you all. A man's past belongs to himself. His future belongs to the woman he marries. That's the way I look at it. That's the way I feel about it. This is a world where you have to go after what you get or you don't get it. Lima would not stand and say: "Here I am. Come and get me." No. She couldn't say it long as she was free — free without a care in the world. If she was like Widder Ollie, she'd be glad to find a nice young man like me even if I did have hair the color of a jersey calf and so curly you couldn't tell which end grew in my head. I know that much about women.

When my hat come off in the moonlight upstairs Lima just screamed to the top of her voice. Screamed like she had been stabbed. I made for the winder. She hollered: "That hair! That hair!" She knew who I was. I went out of that winder like a bird. I heard Sol getting out the bed. I landed on soft ground right in the hollyhock bed, as God would have it. I took down over the bank — circled up in the orchard through the grass so they couldn't track me. I hadn't got two-hun-

dred feet when I heard Sol's gun and felt the shot sprinkling all around me in the sassafras like a thin rain falls on the green summer leaves.

I went on to bed that night. I dreamed of Lima. I loved her. I didn't care about Rister and his past with Lima. The way I looked at it, that belonged to them. A girl has the same right to her past that a boy has to his. And when a man loves, nothing matters. You just love them and you can't help it. You'll go to them in spite of the world — no matter what a man has done or a woman has done. That's the way I look at it. Be good to one another in a world where there's a lot of talking about one another, a lot of tears, laughter, work, and love — where you are a part of the world and all that is in it and the world is a part of you. I dreamed about Lima that night. She was in my arms. I kissed her. She was in the trees I'd seen in the moonlight. She was in the wild flowers I saw — the flowers on the yaller bank. She was in my corn and my terbacker. She was in the wind that blows. She was my wife. She wasn't Rister's. She was mine. I loved her.

IV

Well, August ended, and September came along with the changing leaves. Then October when all the world turned brown and dead leaves flew through the air. The wind whistled lonesome over the brown fields. The crows flew high through the crisp autumn air.

The months dragged by. We went to church, but I barely ever spoke to Lima or to Rister. I went with Widder Ollie sometimes. People were talking about Lima. People understood. A woman, with her crooked finger over the paling fence, said: "That poor Lima Whitehall was raised

under a decent roof, and in the House of the Lord, a church-going girl with as good a father and mother as ever God put breath in. And look how she's turned out. You just can't tell about girls nowadays. They'll fool you — especially when they run around with a low-down boy like Rister James. Curly-headed thing — everybody's crazy about his hair. Look at that bumpy face and them ferret eyes and you'll get a stomachful, won't you?"

And the woman driving home from town with an express and buggy said: "You are right, Miss Fairchild. It's them low-down James people. That boy. He ought to be tarred and feathered, bringing a poor girl to her ruint. She's a ruint girl. Never can stand in the church choir anymore with the other girls and play the organ and sing at church. Her good times are over. That James boy won't marry her now. They say he's got to dodging her. Poor thing."

So I went to Widder Ollie and I said: "Everybody's down on old Rister now. You ought to go talk to him. He's down and out. Now is when he needs help. You know what they are accusing him of. I guess it's the truth. Wait till after I see the baby and I might take Lima and the baby. Be glad to get them. If I do, you can grab Rister."

"I'll do it," said Widder Ollie. "I'll spin my net for him like a spider. I'll get the fly. I love that boy. I love him. He's got the prettiest hair you nigh ever see on any boy's head."

The land was blanketed in snow. The cold winds blew. Winter was here. We heard the people talk: "W'y, old Sol Whitehall's going to march that young man Rister right down there at the pint of his gun and make him marry Lima. It's going to be a shotgun wedding. Something is going to happen."

The talk was all over the neighborhood. Everybody in the district knew about Lima. It is too bad when a girl gets in trouble and everybody knows about it. Around home she can never get a man. She's never respected again. For the man it don't matter much. He can go right back to the church choir and sing when they play the organ. Nothing is ever said about the man.

"I won't marry her," said Rister, "and old Sol can't gun me into it. I'll die first. I'll go away to the coal mines and dig coal till it is all over. I'll go where Widder Ollie's pappie is — up in West Virginia."

So Widder Ollie goes to West Virginia after Rister has been there awhile. She leaves her boy with her mother and she goes to stay awhile with her pappie. I thought that was the right move. It just looked like everything was coming nicely to my hands. I had worked hard. I had prayed hard. I had waited. It was time to get something. But what a mess. What a risk to run over a woman. How she had suffered. How I had suffered. The lonely nights I'd gone out to the woods — nights in winter when the snow dusted the earth — when the trees shook their bare tops in the wind and the song of the wind in the trees was long and lonesome and made a body want to cry — lonely nights when a body wondered if life was worth living — white hills in the moonlight — the barns with shaggy cows standing around them and sparrows mating in the eaves. Life is strange. Lima there, and the Lord knew what she'd do the way people were talking in the district. I was just waiting to see. It would soon be time.

The winter left. Birds were coming back from the South — robins had come back. And Rister was gone. Rister was at the mines — had a job — making more money than he'd ever made in his life. He wasn't

working for twenty-five cents a day no more. He was working on the mine's tippie for three dollars a day. He was wearing good clothes. He was courting Widder Ollie right up a tree. And he had her up the tree a-barking at her like a hound-dog trees a possum.

The days went swiftly. April was here — green in the hills and the plow again in the furrows. Mom was there that ninth of April. She was with Lima. Doctor so far away and hard for poor people to get. Lima came through all right. She had the baby. Mom came home the next morning — I was waiting to see. She said: "It's got that funny-colored hair — that jersey hair with two crowns on its head. But it ain't no Harkreader. It's the first time I ever saw any other person but a Harkreader have hair like that."

I never said a word. I was so happy I couldn't say a word. I had the almanac marked and it had come out just right. So I up and went down to Whitehalls to see the baby. I went in by the bed. I reached over and picked up that baby. It was my baby. I knew it. It was like lifting forty farms in my hands. I kissed it. It was a boy. I never lifted a little baby before or never saw a pretty one in my life. But this baby was pretty as a doll. I loved it. I said: "I'll go to the store and get its dresses right now, Lima."

And she said: "W'y, what are you talking about?"

"Look at its hair," I said. "Only a Harkreader has that kind of hair. You know that."

Fire popped in her eyes — then tears to quench the fire. They flowed like water. "When you get out of bed," I said, "we'll go to church and get married. We'll go right out there where we went to school and where we played together. We'll forget about Rister."

She started out of the bed. I put her back. When a girl is down and out — a girl you love — a girl who is good and who loves as life lets a woman and a man love — I could shed tears. I could cuss. I could cry. But what I did was to run out and chop up that settee. I dug up the green sprouts of the flags and the roses. My daddy-in-law, old Sol Whitehall, ran around the house on me and yelled: "What the devil are you doing? Am I crazy to see you in my yard digging up my flowers?"

And I said: "You are crazy, for I am not here, and you are not Sol Whitehall. You are somebody else."

I dumped the flower roots over the palings. I left Sol standing there, looking at the wind.

I ran toward the store. I said to myself: "I got her! I'll plow more furrows. Clear more ground. Plant more corn. I'll do twice as much work. I got her! And I am going to get my boy some dresses. Hell's fire! He's greater to look at than my farm!"

I got him the dresses. I ran back and told the preacher to be ready soon. She must be mine. And when I got back with the dresses my pappie-in-law said: "And that scoundrel — married. Rister married to Widder Ollie Spriggs. Damn him to hell! God damn his soul to hell and let it burn with the chaff!"

But let them talk. Let them talk. They'll never know.

We went to the church. We were mar-

ried there. Made Lima feel better to be married there. I could have been married in a barn. Would have suited me.

You ought to see my boy now. Takes after me — long jersey-colored hair. He's my image. He don't look like his Ma — not the least. He's up and going about.

Rister's back home now. He works for Widder Ollie and her mother. They all live in the house together. Everything came out just fine. We went to church together the other night, all of us. Rister and Widder Ollie walked behind. We went into the church house carrying our babies. I know people thought I was carrying Rister's baby, and that he was carrying the one I ought to carry. The Widder Ollie's brat was digging Rister in the ribs and saying, "Get up, hossy. Get up, hossy, or I'll hit you on the snoot."

And he'd have done it too, if Rister hadn't stepped up a little faster. That kid is twice as big as he was the night I carried him. Ollie says he won't walk a step when she takes him any place. Makes Rister carry him everywhere. People look at us and grin. They crane their necks back over the seats to look at us all together again. Ollie understands. Lima understands. Rister don't understand so well.

And we go back across the hills shining in moonlight. Summer is here again. Corn is tall on the hills. Then I hold my head in the air, throw my chin to the stars, and I give that strange catcall once more. Rister looks a little funny. He understands now better than he did.



THE NEWEST MEDICAL RACKET

BY HENRY MORTON ROBINSON

IN A recent automobile accident a man's foot was pitifully mangled; bones and tissue were destroyed and the victim himself lay in a stupor. A doctor, called to the scene, decided that an immediate amputation of the foot was necessary; the operation was performed and the patient recovered. Shortly thereafter, the doctor was sued for malpractice—the patient claiming that his foot could have been saved and that the amputation was unnecessary.

This case, typical of the increasing number of civil malpractice suits which are being filed against physicians and dentists in the United States, was decided in favor of the doctor. True, the patient had lost his foot, but it was held that unless the operation had been performed promptly and skilfully he might have lost his leg, or even his life. Adjudicating this grisly dilemma, the court declared that a properly qualified doctor or surgeon is acting "legally and reasonably" when an emergency compels him to choose between two courses of action, either of which may involve grave hazard to the patient.

Civil malpractice litigation is becoming a familiar specter to doctors; it stalks across their consulting rooms and hovers over their operating tables. Six times as many patients sued their doctors in 1935 as in 1921, and recent figures indicate that in 1936 approximately one doctor in twenty will be a defendant in a malpractice trial. Medical men are puzzled by this melan-

choly phenomenon; they believe that they are not less skilled or conscientious than formerly; indeed, it is common knowledge that the standards of their profession are rising. Worried insurance companies also can offer no explanation. They merely know that ever since the World War, increasing numbers of people have been seeking the illusory pot of gold at the foot of the malpractice rainbow. During the Depression the litigation curve has soared, and the obvious conclusion is that hard times and the lust for damage-money have incited even "nice" people to magnify slight claims into grave charges against their physicians. Thus a new racket has sprung up to plague the medicos.

Many of these suits, though ill-advised, are understandable. For instance, a doctor has failed to pull a favorite daughter through pneumonia, or has "lost" a child during a difficult delivery. Naturally the stricken parents are emotionally disturbed, and in their agitation they seek relief by suing. Reputable lawyers will not handle such cases unless unusual features are present, but there are plenty of shysters who will not scruple to press the action against a jury's tear glands. The consequences to the medical profession are ugly and far-reaching: one unfortunate result is that physicians are becoming suspicious of everyone they treat; a lanced felon or even a spoonful of cough-medicine may be the basis of a damage suit. Thus, one of the finest human relations is being en-

dangered and an incalculable human loss sustained. Furthermore, even an unsuccessful malpractice suit has unhappy repercussions in a doctor's life, causing him great worry and loss of prestige. If a jury finds him guilty, he sustains a heavy financial mulct, ranging from twenty-five hundred to ten thousand dollars; years of savings and conscientious effort are sacrificed, and in some instances his career is ruined.

These penalties are reasonable if a physician has actually been guilty of malpractice; no one pities a doctor whose ignorance or negligence endangers the life of a patient. But the fact is that the malpractice suit is rapidly becoming a racket, displacing the faked automobile accident and the familiar railroad suit as a potential source of easy revenue. Spurred on by shyster attorneys, disgruntled or unscrupulous patients are filing malpractice suits against reputable doctors on the chance that a sympathetic jury will return a damage award which will then be split by lawyer and patient.

Although the volume of such litigation is increasing tremendously, less than one-tenth of it is successful. The patient rushes in with his grievance, sincere or otherwise, but nine times out of ten he retires with nothing tangible except the cost of a lawsuit. For the courts compel the patient to crack an extremely hard nut in proving malpractice. He must bear the burden of a double proof: he must establish not only that he has suffered injury, but that the physician's negligence or lack of skill was the producing cause of the injury. Now it is one thing to believe that a doctor has not been successful in treating a malady, and quite another to demonstrate in a court of law that he has been guilty of malpractice. Malpractice has been defined in the *Corpus Juris* as "the negligent per-

formance by a physician of the duties which are devolved upon him by virtue of his contractual relations with his patient". Realizing the human limitations of the healer and the empirical nature of his art, the law recognizes that the doctor cannot with certainty predict or control the course of a disease, or insure the patient's restoration to his previous condition of health. Nor is the physician required to be a genius, or to display extraordinary talents as a healer. All that the law demands of him is that he shall possess such a degree of learning and skill as is "ordinarily possessed by other physicians in the locality where he practices". A small-town doctor, setting a broken ankle, is not required to exhibit the skill of a metropolitan specialist, and cannot be held liable if the results of his ministrations are inferior to those obtained by a few healers of rare endowment. The late Chief Justice Taft had all these points clearly in mind and clewed them together judicially when he handed down his decision in the famous case of *Ewing vs. Goode*.

In this instance a woman suffering from a cataract in the right eye consulted an eye specialist who operated for relief of the condition. Subsequently she lost the sight of the right eye and found the vision of her left eye greatly impaired. She sued the surgeon, basing her case on the ancient legal maxim *res ipsa loquitur* — the fact speaks for itself. In effect, she claimed that her blindness was sufficient proof of the surgeon's lack of skill. But Judge Taft, then sitting in an Ohio court, directed a verdict for the physician, saying in part:

Before the plaintiff can recover, she must show by affirmative evidence — first, that the defendant (surgeon) was unskillful or negligent, and second, that his want of skill caused injury. The facts . . . establish neither the neglect nor the unskillful-

ness of the treatment, or the causal connection between it and the unfortunate event. *A physician is not a warrantor of cures.* If a failure to cure were held to be evidence of negligence on the part of the physician, few would be courageous enough to practice the healing art, for they would have to assume financial liability for nearly all the ills that flesh is heir to.

This notable decision is one of the great cornerstones of medical jurisprudence in the United States. In compact form it expresses everything that the citizen should remember when he contemplates a suit against his doctor. Pondering the Taft decision, it is unlikely that most persons, on sober thought, would take legal action against a physician.

II

Medical accidents—unless neglect and lack of skill are present—do not constitute malpractice. Dentists, for example, frequently find that needles break in a patient's jaw. Now the mere breaking of a needle is not necessarily sufficient basis for a malpractice claim; such accidents occur even in the most artful operations, and the dental profession agrees that there is virtually nothing that can be done about it. Good practice suggests that the dentist frankly inform the patient of the accident and take him to a specialist skilled in the removal of broken needles. By neglecting to do this, the dentist makes himself vulnerable to a malpractice suit. In the case of broken surgical needles, the usage varies somewhat: the well-being of the patient is of course paramount and will determine the doctor's point of view. In one notorious case, a doctor broke a needle while treating rectal ulcers and said nothing of the mishap to the patient, although continuing to treat him for twenty months thereafter. The patient suffered severely

during this period, and finally consulted another doctor who discovered the broken needle. In the suit which followed, damages were awarded to the patient, the court holding that the chief fault of the defendant (the original physician) was "the unworthy attempt to cover up the accident rather than the accident itself".

X-ray burns are a frequent cause of litigation, but the doctor has two valid legal defenses. First, certain patients are more susceptible than others to this type of burn, and there seems to be no positive method of determining extreme susceptibility. If a doctor injures a patient possessing an X-ray idiosyncrasy, and positive proof of negligence is lacking, damages are rarely found for the patient. A second powerful defense is based upon the testimony of expert roentgenologists who claim that occasionally, in treating deep-seated maladies, a surface burn is as unavoidable as the incision made by the surgeon's knife in laying bare a diseased organ. Both are painful, of course, but could therapy proceed without them? And who ever heard of a patient recovering damages for the scar where the surgeon made his incision?

It may be news to most persons, but all obligation in the matter of a cure does not rest upon the physician; the patient is duty-bound to follow his instructions. If he fails to do this, the law finds him guilty of contributory negligence and abandons him to the consequences. A dentist, injuring the tongue of a patient during an extraction, prescribed a particular mouthwash. The patient failed to secure the particular antiseptic, his tongue became infected, and he sued the dentist for malpractice. Charging the jury in this case, the judge declared that the patient's failure to conform to instructions was a bar to the recovery of damages. This rule is fol-

lowed in all states but New York, Wisconsin, Oklahoma, and Utah. In these jurisdictions, contributory negligence merely reduces the damages a patient may collect.

At this point the reader may assume that a malpractice defense is solely a matter of legalistic hair-splitting, and that the law is on the side of the doctor. Jurists and medical men deny this, and explain that the layman, having little notion of law or medicine, perceives a bias where none exists. The intelligent view of the matter seems to be that the doctor, obliged constantly to expose himself to grave professional risks involving the lives of other human beings, must be adequately protected from the treachery and rancor of disgruntled or unscrupulous patients. This, and nothing more, the law attempts to do for its sister profession. But if a doctor is really culpable, justice extorts a harsh penalty.

It is not medical men who devise the highly legalistic answers to charges of civil malpractice. Doctors are, as a group, rather naïve and notably unable to defend themselves against the charges brought by dissatisfied patients who, as the records show, will perjure themselves to collect a few hundred dollars. Hence, the great structure of medical jurisprudence in America has been erected by the lawyers of two or three insurance companies specializing in professional liability, a new form of insurance that has taken form in the United States during the past thirty years.

Medical insurance began in Fort Wayne, Indiana, when, toward the close of the last century, a young lawyer, realizing the helplessness of doctors in the face of unjust claims of malpractice, conceived the idea of a physicians' defense company. Originally, this organization merely of-

fered legal advice to members, but soon its officers learned that despite legal representation, some clients' cases would inevitably be lost and thus the medical profession would be mulcted of damages. The question then arose: "Why not insure doctors against malpractice hazards?" But there was no law that made possible the organizing of such an insurance company. Finally, with the aid of a physician who was a member of the Indiana State Legislature, the necessary law was passed. In 1899 the first professional liability policy was issued and doctors were no longer obliged to risk their personal property every time they wielded a scalpel.

Today, when a doctor is sued by an aggrieved patient, the legal corps of his insurance company goes into action. Attorneys skilled in medical law study the case and determine a line of defense. Sometimes the outlook is dark for the physician; he may have made an honest error of judgment or an admission against his own interest. But if he has been guilty of no criminal act, and was not intoxicated while treating his patient, he receives a stanch defense from the lawyers of his insurance company. No stone in law or medicine is left unturned, and specialists are brought in as consultants, with the result that — while many cases are tried — few verdicts go against the doctor.

Of course all doctors cannot be insured; only graduates of standard medical schools are eligible for the professional liability policy. In some states where medical qualifications are lax, or liability laws unreasonably harsh, the insurance companies do not operate. Before a physician is insured, his record is subjected to a searching scrutiny. Lastly, the amount of insurance that a doctor may buy is limited; most concerns do not insure for more than \$5000 on a single risk, thus placing a check on

the rapacity of plaintiffs suing for immoderate damages. For this protection the doctor pays a premium of approximately \$35 a year.

What percentage of malpractice suits are manipulated by unscrupulous lawyers and designing clients? It is difficult to answer accurately, but the fact is that a vast amount of skullduggery is unearthed by liability attorneys. A certain insurance company found, for example, that a disproportionate number of oculists were being sued in the Middle West. The defendant in these cases always entered the same complaint: he maintained that the drops put in his eyes by the oculist caused acute inflammation and impaired his vision. Sympathetic juries gazed at his reddened, swollen eyes, and thrice awarded him damages. The patient was reaping a harvest until an insurance lawyer happened to cross-examine him twice in the same year. The lawyer had a shrewd suspicion of what was going on; he asked for a thorough examination—not of the patient's eyes but of his vest pockets. In the latter an envelope was found, filled with red pepper. Apparently the patient was willing to suffer the temporary pain of rubbing this irritant into his eyes in exchange for generous awards handed him by juries.

Variations of these tactics occur often. Patients have been known to remove splints, rip bandages from wounds, and rub salt or dirt into incisions, thus hoping to set up infections that will give color to charges of negligence on the doctor's part. One patient in Pennsylvania lost a leg as the result of his own machinations. He was exposed, however, and gained nothing from his tactics. His lawyer, long suspected of being the leading figure in a malpractice ring, was disbarred, and since then suits have subsided in that part of

the country. Many dentists, weary of facing accusations of having extracted the "wrong tooth", now require patients to sign a card on which the location of the tooth is described. This technique is being adopted by private surgeons and a number of hospitals; nowadays many surgeons will not make an incision unless permission has first been received from the patient in handwriting.

A professional liability lawyer was asked recently what type of suit was most difficult to defend, and he replied: "Foreign-body cases, in which a sponge or instrument is left in the patient by the operating surgeon." Now to a jury of laymen, almost any such case presents apparent evidence of gross carelessness on the doctor's part; here if ever, does the fact speak for itself. Yet other factors besides negligence may be present, as the following case indicates:

A Midwestern surgeon performed an abdominal operation on a woman in a county charity hospital to which he was not attached. He was assisted by graduate nurses who were employees of the hospital. During the operation one of the nurses supplied the surgeon with sterile gauze sponges; a second nurse took them from the surgeon after they had been used. Before the incision was closed the surgeon called for a sponge count (the approved method of keeping track of sponges in first-class hospitals). The two nurses checked the sponges in their possession and reported them all accounted for. Five weeks later the wound opened and a gauze sponge was withdrawn. A suit was instituted against the surgeon; the lower court found for the patient, but the decision was reversed by the Appellate Court, which decided in the following language that the nurses, not the physician, were liable:

A surgeon who performs an operation at a hospital not owned and controlled by himself, and who is assisted in such operation by nurses, not his employees, but employees of such hospital, is not responsible for the mistake or negligence of such nurses in failing correctly to count the sponges used in such operations, whereby a sponge is left and sewed up in the body cavity of the patient.

The fact that the county hospital was a charity institution made it impossible for the defendant to sue, so the case was appealed to the State Supreme Court. This tribunal, recognizing the patient's inability to collect damages from the hospital, took the view that the surgeon — better able to respond financially than the nurses — was responsible for the sponges.

III

Are doctors infallible? Is the patient never right? Well, statistics show that from five to ten per cent of malpractice cases are decided against the doctor, and although this proportion is fortunately small, it includes some grievous cases of downright ignorance and carelessness on the part of medical men. Doctors have been known to operate on the wrong ear, the wrong kidney, even on the wrong person. Then there was the tragic case of the doctor who, while giving a blood transfusion, somehow turned a gadget the wrong way and drained the blood from the sick man into the donor. The patient died, no defense was possible, and the doctor was ruined. In another instance a young athlete appeared in a doctor's office and complained of a small growth on one kneecap. The doctor surgically removed the growth, whereupon infection set in and the young man's leg had to be amputated. Expert witnesses testified that the doctor had not taken the standard pre-

cautionary measures in preparing the patient's knee for operation. These experts stated that because the fluids in the knee-joint are especially fertile breeding places of infection, it is good practice to scrub the leg with soap and water, then alternately apply alcohol, iodine, and sterile bandages for at least two days before the operation. The doctor who had neglected to follow this standard routine settled for \$2500.

Such isolated cases cannot, however, explain the uprush of malpractice litigation in the United States today. Neither can the activity of venal lawyers and greedy patients be wholly to blame. There is something else present in the situation — something not connected with money or morals, but with an entity much subtler than either: the attitude of the medical profession itself.

Medicine above all human pursuits has always been an esoteric calling, kindred to black magic on one side and divinity on the other. The doctor is regarded by many as a mysterious being, at least half a god, holding miraculous power in his two hands. This confidence in doctors is both admirable and necessary, but it has its dangers, of which malpractice suits are at present a troublesome example. Much of this litigation arises from the fact that ordinary people expect too much of a doctor, and that the doctor himself fosters these expectations too tenderly. The average patient anticipates nothing short of a miracle when he places himself in his doctor's hands. And the doctor, loath to lay aside the halo of infallibility, encourages the patient in this delusion. All goes well if a cure is forthcoming; but when the prescription fails or the disease proves stubborn, then there is a painful contraction of confidence which leads too often, *via* asperities and recriminations, to another suit for malpractice.

REGIMENTING THE RAILROADS

BY H. T. NEWCOMB

GOVERNMENT ownership of American railroads has never been advocated by many intelligent citizens; on the contrary, by most it has been feared as a disaster. Yet today such ownership confronts the Republic as an imminent possibility. The evils of political control were so abundantly demonstrated in the twenty-six-month period from January 1, 1918, to February 29, 1920, during which the federal government operated the roads, that continuance of the experiment, although proposed by the bureaucracy then in charge and supported by certain groups of employees, was rejected almost unanimously. The present danger, therefore, does not lie in public ignorance of the failures of experiment in a field where experiment has always provoked calamity. Government ownership, if it comes, will be the consequence of conditions that are deeper and more pervasive, more subtle in operation, and far more difficult to overcome.

The character of these conditions is suggested by a declaration of Joseph B. Eastman, Federal Co-Ordinator of Transportation, who recently stated that public ownership of railroads may become inevitable "because they have ceased to be an attractive field for private capital". Now Mr. Eastman, during his long service as a member of the Interstate Commerce Commission, was distinguished among all his colleagues as the most prolific author of dissenting opinions and the solitary advocate of government operation of railroads. Thus

his quoted observation is highly significant, and for several reasons. First, because the Emergency Railroad Transportation Act, from which Mr. Eastman derives his present pre-eminence and power, is the sole contribution of the New Deal to the intensifying scheme of rail regulation; second, because Mr. Roosevelt designated Mr. Eastman as Co-Ordinator in preference to ten other members of the Commission, no other being an advocate of public ownership; third, because it is a familiar technique of the Brain Trusters and other Utopians to oppress private enterprise in any field by excessive regulation, so as to make its continuance intolerable and thus force the sale of properties to the government at prices below actual values; fourth, because there are, among the high priests of the New Deal, several far closer to the throne of authority than Mr. Eastman who go further than he does in avowing state socialism; fifth, because these Washington evangelists have manifested a feverish desire to take over the banking and credit resources of the nation, thereby suggesting that they may dream of a not-distant day when, by drastic regulation and regimentation, they can reduce the railroad industry to a state so impotent that expropriation of the present owners must result.

Undoubtedly, there is a point beyond which regulation of any industry cannot go without investment in that industry ceasing to be, in Mr. Eastman's delicate phrase, "an attractive field for private capital". The in-

quiry here, then, is whether regulation of the railroads has passed that point, and if it has, whether private ownership with all its efficiency must be replaced by political management with all its entailed evils, or whether there can be a relaxation of regulation, at least to the extent necessary to avoid the calamity of state ownership. The nation should not be permitted to drift blindly into political control, unconscious of the alternative. This alternative of a more moderate regulation is available; and recourse to it can be prevented only by unwillingness to accept its reasonable limitations, by incapacity to achieve suitable changes in the regulative laws, or by the inertia which often seems to make drifting preferable to action.

Mr. Eastman, although an inveterate advocate of government ownership, was not always of the opinion that railroad investments were so unattractive to private capital that proponents of public ownership could depend upon necessity to invoke taxation in order to support continued railroad service. Surely he cannot be supposed to have spoken only for the moment when he declared, on December 9, 1929:

We are now dealing with a general railroad situation which in many respects is more satisfactory than any which has been experienced in the past. . . . So far as service, operating efficiency in general, and ability to finance upon reasonable terms are concerned, the status of the railroads has been improving rapidly and steadily during the past few years and now appears to be better than ever before. . . . There are now, it seems to me, only a very few weak lines.

Almost precisely six years later, Mr. Eastman, having meanwhile served about two and one-half years as Co-Ordinator, again undertook to define railroad conditions and did so in strongly contrasting terms. Speaking on December 2, 1935, he said:

Railroad credit is now in a sorry state. The roads are heavily burdened with debt and a good many of them have been unable to bear up under the load and are now in receivership or bankruptcy.

Palpably, despite the events which transpired between them, these contrasting declarations are inconsistent. If the roseate conditions which Mr. Eastman limned in 1929 had been other than superficial, even the Depression could not have produced the catastrophe which ensued or the deplorable financial conditions now existing. If this assertion is doubted, the doubt must disappear when the story of the railroads during the last six years is honestly and fairly compared with that of any other large industry. Even agriculture has not suffered so much, nor shown so large a proportion of bankruptcies. Comparisons with the automobile, steel, coal, and textile industries irresistibly demonstrate that factors have operated destructively in the railroad business that did not exist in other industrial fields. Insurance companies, endowed institutions, and savings banks have suffered much more than otherwise because of their extensive capital interests in railroads. Hence, the notion that the American railroad industry had attained to a state of secure prosperity is now recognized as among the most fantastic of the many delusions prevailing during 1928 and the first half of 1929. Yet not long ago this delusion was misleading not only a large section of the public and press, but some of the younger leaders in railroad management itself, and nearly all those who were charged with the obligations of control, which, in the guise of regulation, had been assumed by government.

The truth of the matter is that the basic conditions affecting the railroad industry in 1929, and during prior years, were fundamentally unsound. The appearance of health was superficial and deceptive, and

the disasters which have ensued are attributable far more to ignored conditions than to the widespread industrial calamity which had begun even before Mr. Eastman's declaration of 1929 was uttered. Experienced managers of railroads, and a few honest students of economic history, declined, even in 1929, to participate in the general satisfaction. Looking beneath the surface, they perceived intrinsic conditions which provoked foreboding; against continuance of which they never ceased to protest; and which they knew must lead to disaster whenever the inevitable test of diminished traffic came. Long prior to 1929, it was evident to these observers that:

1. Excessive regulation had dangerously intruded upon the field of managerial discretion, divorcing control from financial responsibility and depriving railroad officers of the right of initiative.

2. The politicians, habitually imposing impossible tasks of regulation, were confronted by successive failures and, whenever these errors became evident, they knew no recourse other than more drastic regulation.

3. Without warrant of law, but in conformity with the custom wherever political rate-making exists, the general level of rates was always so fixed that in times of heaviest traffic, the net revenues would barely meet operating expenses plus the lowest return to capital which would avoid the constitutional prohibition of confiscation.

4. Costs of government, national, state, and local, were rapidly rising, so that taxes upon railroads were easily increased.

5. The augmented demands of labor organizations, pressing for privileges tending to make railroad labor a special class favored at the expense of other labor, had been enforced by a new species of political coercion.

6. Subsidized competition, by highways, waterways, and airways, was fast growing, while laws based upon the false assumption

that the railroads possess monopoly privileges, limited the expedients open to the railroads to protect their earnings.

Thus the Depression found the roads uniquely vulnerable. Since 1929, their losses have been rapid and extreme and, in turn, have so unfavorably reacted upon the general economic structure as to accelerate the decline. The extent of the railroad debacle has no parallel in the history of any industry not actually in course of being superseded by new inventions or discoveries. If the current Depression is more stubbornly resistant than any of its predecessors, it is chiefly because the railroad industry had, before 1929, been deprived of the innate resilience which is necessary to industrial recovery.

II

But it was not always so. The year 1893 is comparable with 1929 as marking the beginning of a world-wide depression in which the United States suffered severely. In that year, when the railroads carried a passenger traffic largely augmented by travel to the Columbian Exposition, total receipts exceeded the returns of any previous year. Then came the financial panic and depression. It was not until 1900 that increasing travel produced passenger revenues as high as those of 1893, although the freight earnings of 1898 were six per cent greater than those of five years before. Again, in 1907, a year in which a relatively short-lived depression began, railroad receipts, both from passengers and freight, surpassed those of any earlier year. This time there was no real decline in the earnings from travel, and by 1910, freight receipts had mounted to six per cent above 1907. The year 1920, also followed by a depression, was another in which both passenger and freight receipts reached new highs. But the effective competition of

busses and automobiles had then commenced and the volume of travel by railroad at once entered upon the decline which now seems permanently to have taken away more than one-half the passenger revenues of sixteen years ago. Hence, it is possible to measure accurately the injury sustained by the railroads in consequence of their especial weakness in the face of the 1929 Depression, and to obtain approximate estimates of the extent to which, through the railroads, other industries have suffered.

The service of railroad debt, most of it secured by liens upon the properties operated in the service of the public, requires about \$600,000,000 annually. For a few years prior to the Depression, *i.e.*, during the most active and profitable period ever experienced by American industry, this sum was earned with, considering the quality of the times, a meager margin for contingencies and for returns to stockholders. The average balance of earnings annually available for rentals, interest, sinking funds, contingencies, and dividends, during 1925-1929, inclusive, was \$1,170,000,000. By 1935 this had diminished to \$500,000,000.

The reduction produced an extraordinary yield of bankruptcies. Early in the Depression, on January 1, 1930, before default in the payment of interest had become common, the courts were operating, through receivers, the properties of twenty-nine railroad corporations, with an aggregate mileage of 5700. The contrasting condition on January 1, 1936, was that 71,000 miles of railroad, owned by eighty-nine corporations having more than \$3,076,000,000 of outstanding bonds and \$1,800,000,000 of stock,

at par values, were in the hands of receivers. Considering the railroads of the United States as a single unit, that system has earned less than its operating expenses, taxes, rentals, interest, and other fixed charges, continuously since January 1, 1932. From that date to the end of October, 1935, the aggregate deficit was \$187,000,000. During the first ten months of 1935, seventy-two railroads, operating 153,000 miles, or approximately sixty-four per cent of the 237,000 miles included in Class I corporations, had net income deficits; during the whole year, twenty-two railroads, operating 13,800 miles, failed to earn expenses and taxes.

Of course, expenditures have been curtailed wherever possible, in some cases by application of new and permanent economies, in others by postponement of repairs and renewals. While the operation of trains in freight service has been substantially cut, almost in proportion to the diminution in tonnage, it is disconcerting to find that with a reduction of nearly two-thirds in receipts from passengers, comparing 1934 with the average for 1925-29, and of almost one-half in the number of miles traveled by passengers, the train service has been curtailed only about one-third. Failure to effect better adjustment by abolishing passenger-train service in excess of the public demand is attributable chiefly to political control of the train schedules, through state regulative commissions. In 1934, average receipts per passenger-train mile fell to ninety-two cents, a figure far below any reasonable estimate of costs. Maintenance expenses were drastically reduced, less was expended for materials, and less labor was employed. The latter item is best shown in the following table:

	1925-1929 <i>Annual Average</i>	1934	<i>Decrease, Per Cent</i>
Employees	1,707,910	1,007,702	41.0
Annual Compensation	\$2,894,864,000	\$1,519,351,725	47.5
Maintenance work in man-hours	2,211,927,500	1,034,123,995	53.2
Other work	2,250,925,750	1,359,774,750	39.6

From 1925 to 1929, new locomotives were bought at the average rate of almost one thousand per year; in 1935 only eighty-three were ordered. Normal increase and replacement of passenger and freight cars were correspondingly impracticable. Capital expenditures for all purposes, comparing 1935 with 1925-29, were reduced seventy-one per cent and the outlay for materials and supplies for use in maintenance and operation declined by fifty-five per cent. These facts show that all persons and industries directly or indirectly dependent upon railroads, or upon the industries from which these carriers buy their principal supplies, must have had their purchasing power sharply diminished. How far this injury has extended may not be readily apparent, but it is plain that there cannot be full recovery anywhere until the railroads are rehabilitated as customers of other industries.

The story of the railroads in the current Depression would be incomplete without reference to the assistance rendered to many, but not all, of them by sundry agencies established by the federal government. Up to November 30, 1935, the Reconstruction Finance Corporation had advanced \$487,000,000, of which \$74,000,000 had been repaid and \$413,000,000 remained on its books. To encourage employment by stimulating expenditures for maintenance, the Public Works Administration had advanced to certain roads the sum of \$184,000,000. More than half the obligations received in exchange have been sold at a profit to the Administration. The Railroad Credit Corporation is a private agency, created, however, at the instance of the Interstate Commerce Commission, which in 1932 accorded certain increases in rail rates, substantially upon the condition that the proceeds should be loaned to some railroads which came especially under pressure to meet fixed charges. On May 31, 1933, the lending power of this

corporation expired by limitation; it had then outstanding loans to the amount of \$73,000,000. This aggregate had been reduced by December 31, 1935, to \$46,000,000, and forty per cent of the advances had been repaid to the railroads which had made the compulsory contributions.

Yet, notwithstanding the hardships listed heretofore, legislative enactments detrimental to the railroads have been a prominent feature of the Depression. When Congress imposes upon an already overburdened industry such an added expenditure as the recent tax to create a fund out of which to pay pensions to superannuated employees (many of whom are superannuated in the statutory sense only), one is compelled to wonder why the addition of such a burden could not, at least, have been postponed until some improvement in railroad income could be achieved. Moreover, before the pension act was adopted, more than ninety per cent of all employees of interstate railroads were within the scope of pension systems voluntarily adopted by the employing corporations. The pension act is cited as typical of the current political attitude. The New Deal's impatience to enact changes which might wait a more convenient season recalls the remark of Lord Palmerston that he was the most unfortunate of English premiers, because as soon as he became Prime Minister "a condition that had existed in Ireland for nine hundred years *suddenly became intolerable*".

III

Mr. Eastman, who has nobly suspended explicit advocacy of public operation for the period of his tenure as Co-ordinator, nevertheless omits no opportunity to declare that such operation is practicable and may become inescapable. He is undeniably right in his conclusion that it can be made inevi-

table by excessive regulation. Furthermore, his deduction is correct if he believes that excesses of regulation already are steadily reducing the industry to a level from which capital is repelled, and disintegration is threatened. Indeed, the miracle is that management has so long postponed catastrophe.

The administration of regulative statutes has virtually degenerated to a recognized policy of leaving to the best located and most capably managed railroads, during the periods in which their facilities are most actively employed in the public service, returns only sufficient to avoid the charge of confiscation. Under such circumstances, a depression must lead, first, to economies that may not be desirable, and second, to bankruptcies; capital is certain to seek other forms of investment; retrogression and decay are only questions of time. But it is not too late to revise the policy radically and to apply the remedy, which is to return to sane, moderate, and reasonable regulation, such as prevailed prior to 1906, the only serious objections to which were its unnecessarily cumbersome machinery and the almost inevitable propagandist activities of the regulative body, the Interstate Commerce Commission. Such a reversal of policy was demanded by the public in 1920, when the exigencies of the World War had demonstrated the absurdity of regulation almost as forcibly as it has been demonstrated during the present Depression.

But, despite the general favor which such relaxation obtained in Congress, there was not sufficient statesmanship in public life to achieve the intended result. The revision of the Interstate Commerce law that ultimately emerged from the congressional hopper proved to be a more drastic scheme of regulation than any that had gone before. Today, the nation is face to face with the question whether it will return to moderate and workable regulation, or slip into the abyss

of government ownership with all its wastes, follies, and inefficiencies supported out of taxation.

It is fatuous to claim an advantage for government-operated railroads on the ground that they could be financed at lower rates of interest. Even now, the market for the limited volume of gilt-edge railroad bonds affords a yield of less than three per cent. Anyone who believes that the federal government could add another \$35,000,000,000 to the public debt — a fair approximation of the lowest price at which the railroads could be acquired without confiscation — and continue to borrow, except by forced loans, at less than three per cent interest, simply does not comprehend the rudiments of public finance. The federal debt already hovers in the neighborhood of \$36,000,000,000 and the taxpayers will be fortunate if commitments made before January 20, 1937, do not raise the aggregate to \$40,000,000,000. The truth is that, with government-owned railroads, the federal credit would take on an entirely new character; it would at once become *the credit of the railroads under political management*. Only tolerable perspicacity is needed to see that with such debt and such management, complete financial collapse, involving in the general ruin the government and the government's railroads, would result.

The railroads were under federal management from January 1, 1918, to February 29, 1920, but, throughout this period, their personnel was principally that of the days of their corporate management, and the efficiency of private control possessed momentum which was never exhausted. Yet so rapid was degeneration in physical condition, in operating efficiency, and in service, that public disgust was universal and all persons who made use of railway facilities were insistent upon the earliest possible end to government control. In nothing was

the impairment of efficiency more apparent than in the power which the employees were able to exercise in fixing their own wages, and, even more dangerously, in surrounding their employment with regulations of their own making, all of which tended to cripple the service and increase its cost. Representation of the government in conferences held for the settlement of questions relating to wages and working conditions was entrusted to persons selected from labor organizations, with the result that awards to the union leaders were limited only by their own audacity. The number of employees became so excessive that, within a few months after the railroads were again operated by their owners, it was demonstrated that increased traffic could be more efficiently handled, and it was so handled, with a materially smaller number of workers.

The railroads today have approximately one million employees, most of them males of voting age, and it is likely that this group could, under government ownership, control over three million votes. Distributed throughout the Union, such a solid bloc could determine the result in many senatorial elections, in a large number of congressional districts, and might even designate its choice as President of the United States. Such a group could not possibly be kept out of politics; that it would act for its own interest alone on every occasion goes without saying. Under government ownership, therefore, the railroads would not only be in politics but their employees would constitute one of the strongest political forces in the nation. Whoever could hold the support of this group might well control the federal government and every state government as well.



POSTHUMOUS AWARD

BY KATHRYN WORTH

IF IN the silence where you lie,
 Beneath the subtle flower and weed,
 There echoes now the sounding of this praise
 Wherewith we mock your elder need,

Do you, uplifting on your icy elbow,
 Listen a while with laughter slow
 To think how empty is award
 To one who knows what now you know?

Or do you momentarily contrive
 To dream within your circling snow
 How warm upon your living heart had lain
 This homage of too late a show?

WHAT HAPPENS TO PLAYSRIPTS

BY ALLEN CHURCHILL

AT LEAST ten thousand playscripts are submitted yearly to the play brokers and theatrical producers of New York City. Of these, possibly two hundred are written by skilled craftsmen and stand a chance of production. Of the others — the unsolicited majority — perhaps one hundred find their way into the hearts and pockets of producers. Of this chosen number, twenty-five may actually see the footlights. And of these twenty-five, one will probably be a smash hit. The chance, then, of an unknown playwright earning fame and fortune is approximately 9800 to 1.

Nevertheless, producers and play brokers by the hundreds read unsolicited scripts by the thousands. The larger brokers are each favored with approximately thirteen hundred scripts a year; every well-known producer receives a thousand. The reason for this promiscuous writing by hopeful amateurs, and the wholesale reading by hard-boiled professionals, is that few human endeavors, honest or dishonest, artistic or otherwise, pay as well as successful dramatic writing. Authors recall that Anne Nichols collected \$3,000,000 from *Abie's Irish Rose*; they know that nearly every dramatic success brings to the author hundreds of thousands of dollars, and that a moderately successful play — one hundred performances or more — usually returns at least \$15,000. Play brokers know that if they place a good script advantageously, they will pocket ten per cent of everything that the author earns. Producers know

that if they are lucky — and canny — they can earn from the play more than the author. When, therefore, the J. M. Barrie of Council Bluffs, Iowa, or the Eugene O'Neill of Ocean View, Indiana, concocts a promising script, it becomes an immensely valuable property. But before it is bought, borrowed, or cast aside by the wizards of Hollywood, there are certain inevitable steps to be taken.

When, in the fulness of time, a playwright scrawls *Curtain* on the last page of his script, he sends to the Register of Copyright in Washington, D. C., for an application for copyright, requesting either Form D1, D2, D3, or D4. Form D2 is usually asked for; it stipulates copyright for a "dramatic composition not reproduced for sale", *i.e.*, not published in book form. D1 is required only in the rare cases when the play has been published before application for copyright. D4 is necessary if the script is a "dramatico-musical composition", and D3 if the dramatico-musical has been published. The form and a dollar are sent to the Copyright Bureau, together with a copy of the play which, with the dollar, is kept in Washington. All in all, this procedure gives embryo playwrights a warm, happy feeling of professionalism, but it is, in the last analysis, chiefly perfunctory; for ninety per cent of plagiarism today involves ideas — intangible commodities which cannot be copyrighted, and which have been known to occur to two or more people at the same time.

As soon as the script has been deposited in a Washington vault, the playwright dispatches his opus to a theatrical producer or play broker—or play agent, as they are commonly called, or “author’s representative”, as they like to be called. Some authors send their script direct to a producer, but usually it is entrusted to an agent, because authors, as well as captains of industry, realize the necessity of having their merchandise handled by experienced persons. Agents are the middlemen on the play-peddling battlefield. They assume and perform the duties that are intolerable to the creative mind: they market the script, collect royalties, verify box-office statements, and sell, if possible, the multitude of rights—foreign, film, book, amateur, and broadcasting—that go hand in hand with successful playwriting. For all this, they collect ten per cent of the royalties which accrue to the author. A good agent earns it.

Finding a broker, then, is the first problem to beset an author. Agents seldom advertise; even with their names carefully concealed from the public they receive more unsolicited manuscripts than they can handle. The average author, consequently, learns of an agent by word of mouth or selects one at random from the telephone directory. Other authors—distinctly above the average—pay the five dollars necessary to become an associate member of the Dramatists’ Guild. The Guild, a branch of the Authors’ League of America, is the organization by playwrights for playwrights. It exists to guide the faltering footsteps of dreamy creators, and through the years it has checked the honesty and efficiency of most of the agents in the business.

Upon arrival in the office of a broker, a script at first gets a frigid welcome. It is recorded in the files and then put aside

while a form letter is sent to the author, telling him that the agency does not read unsolicited scripts until a registration fee—usually ten dollars—is paid. This letter by no means indicates that the agent has agreed to handle the play, but merely that he will read it; and registration, in this sense, includes reading and, if the author wishes, criticism. Authors being what they are, criticism is usually considered unnecessary, and the agent is instructed to earn his money by selling the play as quickly as possible.

The first hurdle over which the script must soar is the agent’s reader, or readers. Some brokers have each manuscript read by three persons; others parcel it out to a single hack who receives two dollars for his work—the eight dollars remaining from the registration fee go for office expenses and for feathering the agent’s nest. In either case, each reader submits a synopsis of the play and renders his opinion of its commercial possibilities. If the reports are favorable, the agent himself glances through the script. If he likes it on first reading he sets it aside to be re-read later. And if it survives the acid test of re-reading, the agent writes the author that he is sufficiently impressed to handle the script.

Seldom does a play come to an agent full-blown and fit for Broadway; in fact, agents estimate that nine out of any ten promising scripts require doctoring. To remedy the defects, the agent summons the author and browbeats him into revising—or, according to some, mutilating—the manuscript into its most marketable form. Finally, when the script has been shaped to the satisfaction of both author and agent, it is sent to a typing bureau. There, for twelve dollars—the author’s—six copies are made. The original is then returned to the writer, who retires with it to wait and hope. This period is one

of great trial for him, for it is an unwritten law among agents that an author is never to know which producer is considering his script. This is done to prevent wild-eyed writers from besieging producers, waving letters of introduction. But the authors, naturally, suspect that this discretion cloaks the fact that the agent is doing exactly nothing. Sometimes this delusion festers, with disastrous results. One author waited through six months of evasive answers from his agent, then burst loose and in one inspired morning sold the play himself. On the same day his agent sold it to a different producer. In this case the author's deal was valid because it had been concluded earlier in the day. But the agent, nonetheless, was entitled to ten per cent.

The six copies made by the typing bureau are first placed in the safe while the agent waits for a hunch to assail him. His knowledge of the whims, caprices, and idiosyncrasies of the various producers churns within him until he feels that the script should be sent first to such a producer, and to no other. But when, as often happens, his hunch fails, he begins peddling the script in earnest. The six copies are plucked from the safe, clothed in the distinctive cover of the agent's office, and delivered to the Big Six, that group of producers who somehow manage to make money from the Broadway theater. All the diplomacy the agent can summon is now called upon to pave the way of the script into these offices. Luncheons, cigars, and friends of friends are utilized, and with the manuscript goes a carefully worded sales talk which reads something like this:

Dear Sir: Some time ago I sent you a play called *Bright Lights*. You rejected it, and it made a million dollars for Jed Harris as *Broadway*. Later I sent you *The Green*

Pastures, which you also sent back. Last year I sent you a play called *Hobby Horses*, which is now going strong as *Three Men on a Horse*.

With the above plays in mind I hope you will consider carefully the script I am sending you. To my mind, it combines the best features of the above three plays. The movie companies are already bidding for it. It is called *A Comedy of Eros*, and it is terrific.

II

So far the bright side of play-peddling has been disclosed. According to some authorities the bright side is the very exceptional exception. They point out that a recently-published estimate of the reputable brokers in New York placed the number at six, and insist that even this is extravagant. Certainly it is no secret to Broadway, or, for that matter, to the world at large that there are hundreds of crooked people in the show business and that some of them are agents. These unscrupulous gentry range from those who make a living by plagiarizing bright lines and situations from submitted plays, to those whose relatively harmless graft consists in operating a typing bureau on the side. On every script that comes their way these entrepreneurs make slashing changes. They then inform the author that his script must be re-typed. The work is done in their own bureau.

Between these extremes there is an infinity of trickery. The most prevalent is the crooked collaborator racket. "Your play needs fixing," the agent tells the author. "We'll call in B who is an expert play doctor." B usually agrees to act as consultant only; but he will demand a slice of the play, and for every hour during which he pours his wisdom into the ears of the author he will receive, as well, from two to ten dollars. Occasionally, he

may add a few commas or delete a few words, and for this herculean lucubration he demands fifty per cent of the profits. Whatever money he gets from the author will be split with the agent.

Then there are the phoney brokers — their offices are mostly in their hats — who never read the submitted scripts but send them to a colleague in the script department of a motion picture company. If the latter finds the play satisfactory and can guarantee its purchase by his concern, the agent buys the play outright for, say, \$500. He then sells it to the film company for five times as much. There are agents who prey in much the same way on foreign authors who are not members of the Dramatists' Guild. There are agents who . . . Well, deliver yourself unto the Guild and you may avoid them.

When a script arrives in the office of one of the Big Six producers, it is recorded and, in time, read. A synopsis is prepared for the producer by his first reader. If the great man likes the synopsis he calls for the play. If he likes the play his first feeling is that there is something vitally wrong either with him or with the script, for it is probably the first in a thousand that he has approved. To strengthen his judgment, he hands it to various people whose taste he considers typical of a Broadway audience. If his Aunt Rachel and his ten-year-old son both exclaim over it, he considers the play as good as bought, and, if he cannot afford to produce the opus with his own money, goes forth in search of an "angel" — someone who will pay from \$250 to \$25,000 for a slice of the show.

As a rule these victims are not hard to find; the dank back-stage air is a subtle poison which few in the moneyed class seem able to resist. Or if, as is becoming increasingly common, a film company

chooses the play as one of ten to be produced in the hope that one will make money, the producer is all set. He merely rars back and produces.

Before definitely accepting the play, however, the producer sometimes calls in a collaborator. As opposed to the phoney play doctor mentioned previously, this collaborator will be a skilled theatrical craftsman — an expert in dialogue if that feature of the play is weak, or in construction if the script has two sour acts. First, the producer makes the invariable gesture of inviting George S. Kaufman to collaborate; after Mr. Kaufman invariably refuses, he proceeds down the line until he finds someone willing to minister to the ailing script and receive in return fifty per cent of the author's royalties. The author and collaborator sign a Dramatists' Guild contract, by which they agree to labor together to the best of their ability, and then, in an atmosphere of amity or fierce detestation, depending on their temperaments, hammer out the new script. When the job is done, the producer is prepared to buy.

With the details of finance lifted from his mind and the script doctored to his liking, the producer summons the agent, the author, and the collaborator, when and if there is one. After the inevitable drinks and the customary flatteries, they sit down with the Guild contract before them. Signed in the right places by the proper hands, this contract gives the producer an option, or lease, on the play for a period of six "theater" months — not counting June, July, and August — and for this option he is supposed to pay the author \$500 — unless, of course, the author is Shaw or O'Neill, or another equally renowned. In these Depression years, however, the sum is not always \$500; in the past year sixty per cent were nearer \$250. The author is given a final decision on

the cast, and no changes in the script can be made without his consent. Sometimes he is granted the right to approve the director. Custom, and not the contract, dictates the amount of his royalties: five per cent of the first \$5000; seven and one-half per cent of the next \$5000; and ten per cent of anything over that—and again such authors as Shaw and O'Neill get more. The contract as a whole is governed by a Minimum Basic Agreement, signed every five years by representative playwrights and producers, which specifies the author's rights on every point. After six weeks of intense bickering, the latest, and by far the most complicated, agreement was signed in May of this year.

The greatest differences arise from the option angle of the contract. Often a producer lacks sufficient money to produce a play after he has bought the option, but continues, nevertheless, to renew the document, hoping that in time the money will appear. Playwrights, always a suspicious breed, feel during this period that their rights are being withheld; they fail to realize that, because he continues to renew the option, the producer would probably produce if he could. In 1934, several disgruntled playwrights picketed a producing organization because the latter had several times renewed options on their plays but had made no visible effort to produce them. The playwrights made a pretty spectacle marching about, but they aroused little sympathy, because there is no clause in the Guild contract which forces the author to renew the option at the end of six months.

Occasionally, however, producers buy options for an ulterior purpose. Sometimes, one will take an option on a play—and possibly on three or four—which in some way resembles a drama that he plans to produce. In this case, the producer con-

tinues to buy options until his play has opened. Then he allows them to lapse.

With the Guild contract signed, the producer hires a director and a scenic designer. With them, he goes over the script, act by act, scene by scene, line by line. The designer then retires to his studio, and the director and producer rent a theater or rehearsal hall and begin to assemble the cast. Probably they have already decided on the actors they want, have put the names on paper as cast A, and have started to do the actual hiring. They have drawn up as well cast B—actors almost as suitable as cast A; and, to make doubly sure, they list further selections which they call cast C and D. From these four casts, and from the hundreds of actors who swarm into the office, they populate the play.

During rehearsals, the author and producer theoretically labor hand in hand toward the fullest flowering of their joint possession. Actually, this seldom happens. The script produced is almost never identical with the script bought, and for operations on it, major or minor, the fine Broadway hand of the producer is usually responsible. Authors, if encouraged to talk (which is not often necessary), will maintain at length that in rehearsal their plays were mangled beyond recognition—were, in fact, raped by the producer. But often these outbursts are caused when the producer brings terrific pressure to bear on a hapless writer. He can threaten to call off the entire production if certain changes are not made; he may cite, with tears in his eyes and a throb in his voice, his superior knowledge of the theater; he may set his hangers-on—every producer has them in quantity—to tell the author that his play is doomed unless the producer is allowed to do this or that. Although the Guild contract fully protects authors, these

methods, plus the imminence of opening night, persuade most of them to be tractable. The rehearsals take three or four weeks and then—another glamorous Broadway opening, with the author's friends (and perhaps no one else) clapping madly at the final curtain.

III

Until the expiration of the old Minimum Basic Agreement, the producer was chiefly inspired, throughout all the details of production, by one thing: the clause in the agreement which promised him that, if he presented the play for at least three weeks in "the borough of Manhattan, New York City", or for seventy-five performances on the road, he was entitled to share up to fifty per cent of the sale of all rights to the play. First and foremost, this clause meant motion picture rights, for there, nowadays, lies the real profit in producing, and it is safe to say that, the new agreement and all its committees to the contrary, it will remain so. In recent years Hollywood has spent about \$800,000 annually for rights, and more than half this sum has gone to producers.

Approximately twenty Broadway plays are sold to the cinema each year—roughly one-quarter of all the masterpieces produced in the vicinity of Times Square. Yet the sums paid for them are so large that producers are willing to fling their own and their backers' money into a production in the hope that it will sell to the films. From the sale of the picture rights to a major success, a producer can make at least \$25,000, and probably more; but it is by no means necessary to possess a smash hit in order to cut a slice of this Hollywood gold. For example, the film rights to *All Good Americans* sold for \$18,000; those to *The Wind and the Rain*

for \$15,000; and those to *Dr. Monica* for \$10,000; yet only the second of these was even a moderate success. If a producer is sufficiently canny he can be fairly certain of making \$5000 to \$10,000 from his movie rights; and possibly \$37,500 or more, because each year several plays fetch \$75,000 to \$100,000, and sometimes more.

After the three weeks in Manhattan, or the seventy-five performances on the road, the play is placed on the open market. By the terms of the new Minimum Basic Agreement, the sale, if any, is supervised and effected by an arbiter who represents both the Dramatists' Guild and the producers—an auctioneer who, to the best of his ability, is fair to both sides and who sees that the bidding is not only open, but above-board. The arbiter examines the background of the play, ascertains whether it was financed independently or by Hollywood money (over twenty-five per cent of the 1935-36 productions on Broadway were paid for wholly or in part by the films), dictates terms accordingly, and then concludes the sale to the best advantage, financially, of both author and producer. The sale over, the author, agent, and producer, their pockets stuffed with money, retire—the author to write, and the agent and producer to read some more.

This is one way in which Hollywood buys its plays; another is by taking unproduced scripts direct from an agent. A script, if sold to the films without Broadway production or glorification on the printed page, brings from \$250 to \$5000. This is comparatively small change as prices go, and agents submit a script to Hollywood as a last brave gesture, and only after the Big Six, the Little Six, and the Submerged Six have all returned it. The small sum of money involved, however, is not the only reason for the agent's reluctance to entrust his script to the

grindings of the Hollywood mill; nowhere are there as many slips between submission and the inevitable acceptance or rejection. Reduced to its lowest terms the Hollywood system is this: The first reader in the New York office makes a summary of the script. The summary is sent to the Coast, where, with several other synopses, it is printed in a bulletin and sent to the directors and executives. If any of these sees a spark of promise in the synopsis, he sends for a more detailed summary, or for the script itself. If he still likes it, he commissions one of the company writers to adapt it. Sometimes an option is bought before the liberty of adaptation is taken; often it is not. If the adaptation is successful the script may be bought. If not, it will be sent back to the agent; but bits of it may pop up in future films.

This trans-continental consideration takes months, and while it is going on any information about the script under consideration is hot news to all competitor companies. Typists, office boys, and hangers-on are acutely aware of this manner of earning pocket money. The underlings, however, are not the only employees who indulge in smooth deals. The higher-ups — executives, supervisors, and directors — to whose minds a novel idea clings like the proverbial burr, often, as they move from company to company, claim as their own ideas being considered by their last employer. A paragraph from *Variety* will offer an example:

A director at a major studio sold his studio a story for a child star for \$5000. Picture went into production and after it was completed the studio, in looking for another story, came across the same yarn submitted by a team of writers some time before the director wrote his script. Studio then called in the original writers, offered them five grand for the story, meanwhile refusing to pay the director. Writers, as yet, have not

accepted and do not know that their story has already been made into a picture.

This trickery takes place in spite of Hollywood's best efforts. The movie companies, for fear of plagiarism suits, will consider only plays submitted by reputable agents, and when a script is under consideration it is guarded like a crown jewel. Few employees are supposed to see it, and in most offices the stagger system of typing is used. No typist copies the whole of a script; only an act or part of an act.

When bought by a film company, a script is assigned to a supervisor — the supervisor who supervises the supervisors who supervise every detail of the production. Then follow story conferences, attended by more supervisors and by the gentleman who will write the screen play. Sometimes the author of the script is imported to adapt his own work, but few survive this harrowing experience. The story conferences decide the proper "yangle" from which to write the adaptation; it may be *Love Conquers in the End*, or *Rags Are Royal Raiment If Worn for Virtue's Sake*, or the currently famous *Boy Meets Girl — Boy Loses Girl — Boy Wins Girl*. In any case, the script, mangled into scenario form, is submitted to the Big Chief. With his approval it is exposed to the cameras and Hollywood histrionics. And finally, it is shown to admiring millions.

IV

Thus the progress of a playscript in these years of the locust. Few follow this groove from end to end, and the way, consequently, is not well oiled. Unique and unprecedented adventures constantly befall scripts that get off to a flourish of trumpets. But the number starting each year is increasing.

Authorities claim that the best new plays are written by actors and newspapermen who live within hailing distance of Broadway or Hollywood. Scripts, however, flow into New York from every nook and cranny of the country — most of them penned by hopefuls who picture in intoxicating detail a movie magnate fondling the script and exclaiming rapturously, "This is colossal, in a *big* way." But there is no certain method of pointing out the road to fame on Broadway and fortune in Hollywood; there is nothing to be done with a completed script but send it to agents and producers. If it comes back quickly and consistently the author must face the horrible fact that his play is not as good as he thinks, for worthy scripts usually receive careful consideration. A playwright can guide the destiny of his play in only one way: he can make sure that the opus falls into reputable hands; and this can best be done by membership in the Dramatists' Guild.

Playreaders of experience insist that the gayer the cover, the worse the script; and playwrights must, therefore, fight the impulse to adorn their masterworks with gaudy covers and ribbons. A well-typed script is naturally easier to read — and, by the same token, to consider — than a messy one; but the messy ones are read nonetheless if they show promise. Lengthy stage directions are a waste of effort; the reader looks for the meat of the play, and the producer will invent his own directions anyway.

Invitations to cocktail parties, and letters stating that the author is on relief and

familiar with starvation, are *non grata* in producing offices and have been known to prejudice a producer violently. Grim warnings that a script is copyrighted arouse irreverent laughter on the part of playreaders, being recognized as an infallible sign of amateurishness.

Anyone who has written a play should, by fair means or foul, *have it played* — if necessary by enlisting the family and the family kitchen in the cause. Amateur groups can be prevailed upon to stage the plays of their members, and so can play-writing organizations at universities. At these performances the author should sit out front, remembering not to blame the results altogether on the actors.

Those who have not yet written a play, but intend to, should look forward to play-writing as an avocation. It is one of the subtlest of the arts and takes years to master. If possible, it is wise for the novice to select a good play and see it again and again, until the novelty wears off and the mechanics show through. The same can be done almost as well from the printed page. And before an author sits down to write *Act I, Scene 1: A Sunken Garden*, he may save himself untold woe by taking from his shelves George Pierce Baker's *Dramatic Technique* and carefully reading this passage:

Whoever aims to write plays chiefly or wholly because he would like fame or money or because he wishes to show that he is as strong in one fictional art as another . . . in fact he who writes plays for any other reason than that he cannot be happy except in writing plays, had better give over such writing.



R. L. S. AND THE STREETWALKER

BY GEORGE S. HELLMAN

THERE is a vast and fundamental difference between the approach to the solution of life's problems by the two main classes into which civilized man is divided—the businessman in commerce and finance; the professional man in science and the arts. The conduct of the former is guided by the ethical consideration of conformity to the principles of the most reputable persons in his field. The creative man is guided by a more individual beacon—the light of truth or the light of beauty. He cannot, of course, avoid essentially moral obligations, but as his most propelling standards are intellectual and aesthetic, his problems are more involved. And thus he is torn by greater forces.

Few modern authors have dealt with such a series of conflicts as Robert Louis Stevenson—conflicts which he met with varying success, and with final failure, as he himself admitted in the cryptic autobiographical fiction of his twilight years. But it is not to be thought that he was a pot-boiler in the ordinary sense. Artistry was his first passion, and he wrought with fine devotion, toiling over the right word, the right phrase, the right rhythm, conscious all the while not only of the need of revision but of the often greater need of elimination. Yet if he triumphed in his artistry, still he faltered as an artist. Too mistakenly generous as a man, he yielded, not in style, but in subject. In this fashion he withheld his full gifts from the world. To

understand, therefore, the original inspiration and the ultimate bafflement of Stevenson, the author, we must have recourse to the French adage in amplified form: *Cherchez les deux femmes*. An Englishwoman and an American formed the core of the secrets—many of them concealed purposely for decades—of Stevenson's life and art.

Before coming to manhood, R. L. S. revolted against the bigoted religious atmosphere and the priggish morality of Edinburgh society. The harsh and narrow dogmatism of his father caused a violent reaction in the intellectually-minded son, leading finally to bitter disputes and open warfare. These became increased by the dissipations into which Louis entered during his *Sturm und Drang* period; by the time he reached the age of twenty-one, he had consorted with the riff-raff of Edinburgh, and had had numerous affairs with women of the streets. Anxiously watched over by a devoted mother, whom he in turn deeply loved, Stevenson was saved from the threatening morass not by his mother, but by another woman who had recognized the literary talents and the inner fineness of the rebellious youth. It was Mrs. Sitwell to whom Louis turned for guidance. Separated from her husband, she accepted not only the youth's adoration but also his passion. Poems which he addressed to her reveal both. Yet later, when young Stevenson learned that he was

not alone in receiving Mrs. Sitwell's personal favors, the idealism, the fine fervor almost mystically wrought into their association, created within him a deep conflict leading to the verge of suicide. He must immediately get away from her, from all his habitual surroundings, he believed, in the hope of getting away from himself, from that inner torture which was devouring him. Thus he left Scotland and went to France, a journey which led to one of the first of his delightful writings, *Travels With a Donkey*. Then came the sojourn at Grez, the little town to which artists resorted, where Louis met another woman separated from her husband.

Fanny Osbourne and Stevenson are said to have fallen in love at first sight. That may well be; although, on Stevenson's part, it might more accurately be considered an emotional rebound resulting from his dejection at the episode with Mrs. Sitwell. This dejection, it must be remembered, was due not solely to jealousy, but rather to a sense of indignity at having been deceived through insincerity. In his eyes, hypocrisy had degraded their association; and for Stevenson, cruelty and hypocrisy, not acts related to sex *per se*, were the essential vices in human nature. With this attitude towards conduct, an attitude which becomes clarified in his later writings, Stevenson had no hesitancy in becoming the lover of the attractive and forceful California woman he met at Grez. And when, on returning to America, Fanny Osbourne wrote him letters (none of which has ever appeared in print, and all of which, one may safely assume, have been destroyed), he answered their appeal by breaking all ties with home and friends, in order to act in consonance with those principles of *noblesse oblige* to which he sought to adhere throughout his life. Here was no motif of adoration which played so

real a part in his affair with Mrs. Sitwell; neither was there solely the overwhelming element of sexual attraction. Here, instead, was primarily the generous impulse of reparation.

The almost penniless emigrant who departed Edinburgh without a word or sign of farewell to his parents, and against the advice of his dearest friends, was forgiven finally by the stern father when he brought his bride back to Scotland. With this forgiveness came about the resumption of paternal support. The young married man, temporarily enjoying a peace of mind, with no immediate financial cares to oppress him, could in real earnest proceed with his literary career. To these years belong *Treasure Island*, *Virginibus Puerisque*, and other writings which at once found favor with the public. Stevenson was accumulating royalties, accumulating fame; but he had also accumulated grave responsibilities—a wife and two stepchildren. Soon he was to learn that he was not as free as he had hoped; he had come under the domination of a strong-minded, purposeful woman.

To this domination, often lightly exercised, yet insistent at times, is due what, with clear understanding and generous sympathy for Stevenson, must be regarded as irretrievable mistakes in the complex field of opposing loyalties. The chief personal error had to do with the rupture of his friendship with Henley after that poet had commented upon Fanny Stevenson's plagiaristic use, in a magazine, of a story by Stevenson's cousin, Katharine de Mattos. Spurred by his wife's indignation, Stevenson broke with the man to whom he had been deeply and finely allied—a rupture for which, in later years, he found it almost impossible to forgive himself. It cast a shadow over all his days.

In what might be called a less personal

way, a way which cleaved his loyalty to his art, Stevenson's major concessions began with the destruction of the initial draft of *Dr. Jekyll and Mr. Hyde*. As first conceived, the book was not the moral eclogue which all the world knows, for good and evil were to have been differently portrayed. But the portrayal which appealed to Stevenson met with fierce opposition from his wife, and the revision of the manuscript was due to her insistence. *Dr. Jekyll and Mr. Hyde* added greatly to Stevenson's fame and to his fortune. Yet, aware of his intellectual dereliction, he disliked any praise of it, and avoided all reference to it. When a writer on the *New York Sun* — John Paul Bocock — prevailed upon Stevenson to discuss Richard Mansfield's interpretation, Stevenson, ill at Saranac Lake in the Adirondacks, wrote him thus:

You are right as to Mansfield: Hyde was the younger of the two. He was not good-looking, however; and not, Great Gods! a mere voluptuary. There is no harm in voluptuaries; and none, with my hand on my heart and in the sight of God, none — no harm whatsoever — in what prurient fools call "immorality". The harm was in Jekyll, because he was a hypocrite — not because he was fond of women; he says so himself; but people are so filled full of folly and inverted lust that they think of nothing but sexuality. The Hypocrite let out the beast of Hyde — who is no more sexual than another, but who is the essence of cruelty and malice and selfishness and cowardice, and these are the diabolic in man — not this poor wish to love a woman that they make such a cry about. I know and I dare to say, you know as well as I, that bad and good even to human eyes, has no more connection with what is called dissipation than it has with flying kites. But the sexual field and the business field are the two best fitted for the display of cruelty and cowardice and selfishness.

The "business field" was certainly not the only thought in Mrs. Stevenson's mind

when she caused the suppression of the original version of *Jekyll and Hyde*. Elsewhere I have sought to go fully into the other considerations, of family sentiment and public esteem; but the business consideration was, I think, preponderant, with this shrewd, practical, and courageous woman, this in many ways devoted and valuable wife. She had sufficient courage to be willing (for a moment) to have it guardedly revealed that she had been Stevenson's mistress, after Sidney Colvin suggested that otherwise the actions of Stevenson's father and Stevenson's friends could not be understood when they so bitterly opposed his marriage. How heartless would seem — how heartless for many years has seemed — the elder Stevenson's refusal to see his son before, ill, harassed, and almost penniless, the latter set out on an emigrant ship to meet Fanny Osbourne in America. But Colvin was not allowed finally to become Stevenson's biographer, and Graham Balfour suppressed this essential fact, leaving many persons under an unjust cloud. When Clayton Hamilton in his book, *In the Footsteps of Stevenson*, used a revelatory phrase, the first edition had to be withdrawn and the telltale page revised. Yet Balfour and Colvin and all the others who had flouted Stevenson's wish that a true biography should be written, kept silent when, with incontrovertible data, I followed in the footsteps of Hamilton. Let those who will, make such excuses as they find possible for Mrs. Stevenson's interference with her husband's initial version of his famous story. The same arguments, one supposes, will be adduced to condone her even more grievous act in causing the destruction of the novel on which Stevenson had set his heart.

The time, some fifty years ago. The place, Hyères, a hillside town in France. A cold day. A wood-fire burning in the

room where Fanny is expostulating with Louis. She is telling him of her disapproval of the novel he has virtually completed. It is a period of illness for the author. But she will not abate her argument, although these are days when Louis, weakened by hemorrhages, at times has to have recourse to notebook and pencil in carrying on a conversation. To Fanny, the most important thing at present is the destruction of the novel. If it is published, what will the English-reading world say of a romance in which a prostitute is the heroine? The English world of the Victorian epoch! How will such an outrageous theme affect the large circle of youthful readers instructed by the essays of her husband and delighted by his romances? What will be said by the stern, bigoted, Presbyterian father on whose support her husband still partially depends? . . . A falling off in general esteem is certain. A decrease in royalties. A public scandal and a private calamity. *Liber est delendus!* . . .

Wearied of argument, ill, feverish, infuriated, Stevenson, in a moment of weakness, a moment of rage, hurled the manuscript into the fire. Thus the novel which he considered his masterpiece is forever lost.

II

It was Clayton Hamilton who, some years ago, told me of the destruction of this manuscript. Told me also of its subject matter — the life of a prostitute who was depicted as essentially a fine woman. Colvin had told him. Stevenson had told Colvin, who passed on the information to Edmund Gosse. Gosse told Henry James. Colvin and Gosse regarded the destruction of the manuscript as regrettable, but after all, a man-and-wife affair, a circumstance not for public knowledge. But James, first and foremost a literary artist, looked upon

the matter differently. Here was an episode he might use, with circumvention, as material for his art. So he produced that amazingly wrought story, *The Author of Beltraffio*. In it no novel is destroyed, but the wife of Mark Ambient, the novelist, will not have her son grow up to read the immoral writings of his father. She neglects the lad during a severe illness; keeps away the doctors; allows the boy to die. Then, mad with grief, she too succumbs.

Henry James went so far as to present, in his physical portrait of Mark Ambient, a decided resemblance to Stevenson. "He was addicted to velvet jackets, to cigarettes, to loose shirt-collars, to looking a little dishevelled. . . . He was just enough above middle height to be spoken of as tall, and rather lean and long in flank. . . . His slightly faded and fatigued countenance." . . . All this, a swift portrait of R. L. S. . . . Even so, when the tale made its first appearance in the *English Illustrated Magazine*, the general reader had no idea of how the story had been evolved, connected it in no way with Stevenson. But Gosse, thoroughly dismayed, recognized that the incident at Hyères had, in however transformed shape, come to print. A violation, it seemed to him, of confidence. He was horrified and alarmed. What would Stevenson say?

We do not know what Stevenson said. We know, however, what he did. He made James his literary executor. Henry James. Not Sidney Colvin, who had befriended him since early days. Not Andrew Lang, his fellow Scotsman. Not Henley. Not Gosse. Not any of his English friends and fellow writers. He chose the American who had dared reveal to discerning eyes the episode of the destroyed novel. Then in later years, years of disillusion and despair, Stevenson fol-

lowed the example of James. In a series of stories, cryptically wrought yet understood by those who knew the facts of his difficult life, Stevenson provided the material which his editors and biographers preferred to neglect, even many years after his death. *The Bottle Imp*, *The Waif Woman*, *The Castaways of Soledad*—such were the titles of some of these cue stories. They portray the inner tragedy of Stevenson's life—that conflict of loyalties which kept him from the full freedom of his art, involving him in concessions to the dominant woman who, his mistress at Grez, became his wife in California.

III

The discovery of well over a hundred unpublished poems, stories, and brief articles by Stevenson aided in making clear the suppression which had been going on for decades. Many of these revealing manuscripts Mrs. Stevenson kept from the eyes even of her own children. In more recent times, Lloyd Osbourne, Stevenson's stepson and collaborator, expressed his gratification at their appearance before the public. But neither from them, nor from the many documents placed at my disposal by the first Mrs. Lloyd Osbourne, could I gather any further information on the nature of the novel devoured by the flames at Hyères.

At last, however, a beam of light has come, revealing the prototype of the novel's heroine. The source of revelation was the correspondence of Stevenson's biographer with the editor of Stevenson's letters. Balfour and Colvin, were, of course, interested, and not a little disturbed by what was being published in America. While there had been ruptures among families and friends in the Stevenson circle, a quarter century after his death these two men were

still on friendly footing—high priests who had a little too carefully, a little too carelessly, guarded the Stevenson shrine. Guarded it in a way Stevenson would have been the first to disapprove. Their correspondence shows an interesting exchange of comments and compliments. From the Headquarters for France of the British Y.M.C.A., Balfour, in the autumn of 1918, discusses the Bibliophile Society's publication of Stevenson's hitherto unknown poems. He admits that he was not aware of their existence. The writer to whom Mrs. Stevenson entrusted her husband's biography had never even been informed of this mass of autobiographical poetry!

A few months went by and Balfour again was writing to Colvin. The essay entitled *The Stevenson Myth* had then recently appeared in the *Century*. The paper included disclosures of various nature, revealing how Stevenson had been falsely pictured by earlier biographers and commentators—a "seraph in chocolate", to use Henley's phrase. The suppressed poems had been adduced in evidence, and reference made to the novel based on the life of a prostitute. Balfour told Colvin that he knew nothing of those youthful romances, which were the inspiration of many of the suppressed poems. At a recent tea with Osbourne, "all difficult subjects" had been avoided. But in his next letter, February 18, 1923, Balfour admits to one major and one minor sin of omission in his biography of R. L. S.—the failure to describe the early relations between Fanny Osbourne and Stevenson, and the elimination of the word "prostitute" in one place in the biography. This, he writes, is all. I fear, however, Balfour forgot his further failure to state that Henry James was made Stevenson's literary executor in that very will which Balfour witnessed. This fact, unrecorded until *The True Stevenson; A Study in Clarification*

was published in 1925, might have proved a clue leading into a very morass of suppression. Henry James refused to act, pleading ill health and insufficient leisure. The reason he did not give was his dislike for Mrs. Stevenson and his unwillingness to become involved in a messy situation. The dead author desired the entire truth to be told about his life and writings; the author's widow, James knew, was opposed to this. Yet one is inclined to forgive the biographer who took the place of James because, in any event, Balfour preserved a passage from Stevenson's fragmentary autobiography which other persons might have destroyed. He sent a copy of it to Colvin with the letter of February, 1923; and wishes he had quoted the passage twenty years earlier. So here, at last, we come to the girl we have been looking for, the girl who gave Stevenson the germinal idea for the destroyed novel. The manuscript is only a fragment; but it is a pleasure to publish here in *THE MERCURY* for the first time these revealing words from the pen of R. L. S.:

And now, since I am upon this chapter, I must tell the story of Mary H. She was a robust, great-haunched, blue-eyed young woman, of admirable temper, and, if you will let me say so of a prostitute, extraordinary modesty. Every now and again she would go to work; once, I remember, for some months in a factory down Leith Walk, from which I often met her returning; but when she was not upon the streets, she did not choose to be recognized. She was perfectly self-respecting. I had certainly small fatuity at the period; for it never occurred to me that she thought of me except in the way of business, though I now

remember her attempts to waken my jealousy which, being very simple, I took at the time for gospel. Years and years after all this was over and gone, when I was walking sick and alone, I met Mary somewhat carefully dressed; and we recognized each other with a joy that was, I daresay, a surprise to us both. I spent three or four hours with her in a public-house parlour; she was going to emigrate in a few days to America! We had much to talk about; and she cried bitterly and so did I. We found in that interview that we had been dear friends without knowing it. I can still hear her recalling the past in her sober, Scotch voice, and I still can feel her good honest loving hand as we said good-bye.

Here we have the true Stevenson, the generous, sympathetic man who did not look upon sex as evil, and for whom cruelty and hypocrisy were the real vices. If the mere word "prostitute" was eliminated by the biographer chosen by Mrs. Stevenson, it is not surprising that a woman of promiscuous life must not be the heroine of her husband's novel. Let us recall again the stern Presbyterian father-in-law into whose good graces Fanny had at last found her way. Let us remember Louis' widening fame, his increasing royalties: *Virginibus Puerisque*, *Treasure Island*, and all the other works for young and old, with preachers and teachers singing their praises. And then a story extolling a prostitute? What a book for Victorian days! Mrs. Stevenson doubtless showed practical sagacity. Yet the deep regret remains that Stevenson, baffled and enraged, and determined thenceforth to omit from his writing all significant portraiture of women, destroyed a romance which might have made him the first modern British author.



EDITORIALS

Repudiated

IT is possible that we may be treated, next November, to a singular spectacle — the re-election of a President who has been repudiated, either openly or covertly, by almost every literate American not actually on the dole or employed by the Post Office Department. From the solid gold offices of the American Liberty League to the dismal cells of the Communist Party, a roar of disapproval has been launched at the grinning Dr. Roosevelt until it swells to the proportions of a national raspberry; while in the privacy of select saloons and Virginia mansions, self-respecting Democratic senators, and even members of the President's official family, denounce him with a cold dislike. But *Der Führer* is, as the pugilistic Jim Farley would say, a glutton for punishment. The harpoons of anathema glance off his hide as confetti off the epidermis of a rhinoceros. He bobs up so automatically after each knockdown that statisticians of the rise and fall of popular idols are hard put to keep track of the successive repudiations.

Perhaps the strangest phenomenon in the situation is the fact that the criticism leveled at Dr. Roosevelt does not come from people of one political persuasion alone, but from all classes of society and all types of men and women. On the Right, the American plutocracy is solidly arrayed against the Happy Borrower: mention his name to any of the paunchy gentlemen with white mustaches who peer from club windows, and the sputtering rejoinder approaches, in its sincerity, the apoplectic. Captains of industry, presidents of banks, influential

financiers — every representative of Entrenched Greed is out to get Dr. Roosevelt's scalp. No small part of this venom is distilled from the fact that, in the beginning, the American businessman swallowed the New Deal — bottle, label, and cork — so that his normal rage is now further inflamed by the knowledge that he was once played for a sucker, a thought which is almost unbearable.

Further down the line of wealth we come to members of the professions — doctors, lawyers, teachers, journalists, and others. Almost to a man the doctors have their scalpels out for the Washington Medicine Man; they all see the bogey of socialized medicine in the offing and, with considerable experience in diagnosing the handiwork of quacks, are heartily in favor of a return to a Less Abundant Life. The lawyers, despite the fact that a tremendous amount of new work has been thrown their way in constitutional appeals, are also lined up solidly against the man who has very little respect for law of any kind. The few professors who are not in direct receipt of New Deal gold (as well as many who actually are) look upon the President with that withering disdain possible only to a professional pedagogue sizing-up an amateur. In the newspaper profession, with the exception of a few superannuated editorial writers mislaid in corners of the New York *Times* office, all men above the intellectual rank of the Newspaper Guild regard the Squire of Hyde Park with a derision traditionally reserved for lady reporters. Pub-

lishers, writers, librarians, and even painters — check the whole list and nowhere will you find, outside of the mentally feeble, anything but repudiation for F. D. R.

In the middle ground, the gentlemen who currently refer to themselves as Old-Fashioned Liberals, in contra-distinction to the paid henchmen of the New Deal who have appropriated the term, are unanimously opposed to the Roosevelt collectivism because they comprehend that its full flower will necessitate the regimentation of words and thoughts, as well as corn and hogs. Mr. Walter Lippmann, at one time a cheery press agent for the *More Abundant Life*, now sits dourly in a handsome *Herald-Tribune* suite (Rep.) and takes pot shots at the Franklin who was once his regular week-end host. Mr. Bernard M. Baruch, formerly a convert to the Nobler Experiment, retains an indiscreet silence. The lesser fry yap at *Der Führer's* heels, or ruminate soulfully about the passing of democratic government from the great American scene.

Those who were once referred to as the Honor Roll of Democracy — the formerly respected leaders of the Party — have also turned against Dr. Roosevelt with a unanimity which would be construed, in any other country, as a major political revolution. To list the prominent Democrats who have openly denounced the New Deal is to enumerate the Party's ablest men; add the names of Franklin's more discreet detractors who still do him lip service, and the total includes nine-tenths of the literate members of the Democratic Party. James A. Reed, Alfred E. Smith, John W. Davis, Henry Breckinridge, John J. Raskob, Jouett Shouse, William Cabell Bruce, Joseph Buell Ely, the late Albert C. Ritchie, and a host of others, all deserted the Party of which they had been lifelong members simply because they could not stomach the

present set-up. A similar list of respectable men, including those who have resigned positions of importance in the Administration — among them Lewis Douglas, Hugh Johnson, Thomas Jefferson Coolidge, James P. Warburg, George N. Peek, Dean G. Acheson, O. M. W. Sprague, and many others — could be drawn up by any obituary writer in the land. Moreover, there can be added to this total those practicing politicians who are forced by expediency to support the President they dislike in the Senate or the House, or in a governor's mansion or a city hall, and the permanent officials of the State Department, the Treasury, the Department of the Interior, and other federal establishments who look upon their Chief with cordial suspicion.

Then, from the rambunctious Reds there comes nothing but shrill abuse. The Socialists, touchy about thunder stolen from the Left, have read the President out of the Party. The Communists, though they owe their present popularity to this gentleman who has succeeded in making radicalism fashionable, have lately fallen upon him viciously.

Finally, a survey of the past three years reveals that the Executive has received from the other two branches of government a long series of humiliating rebuffs. While the whip of patronage has lashed Congress into subservience in passing New Deal legislation, hardly an Administration bill has been enacted without major changes, and many have been altered almost beyond recognition. The Soldiers' Bonus, the one measure to which the White House declared itself irrevocably opposed, was passed over Dr. Roosevelt's veto with loud cheers. The fate of the *More Abundant Life* at the hands of the judiciary has been so devastating that a candid observer would be at a loss even

to envisage a more overwhelming disavowal. Every one of Dr. Roosevelt's major proposals — the entire framework of his political and economic policy — has been declared unconstitutional by the highest court. No ruler in history has ever been so completely controverted by another branch of his government; no American President has ever been so thoroughly repudiated by the judiciary.

Yet today this same man stands an open chance of being re-elected to the Presidency. What is the explanation?

The conundrum can be solved only by an appreciation of two typically American factors: first, the character of Dr. Roosevelt himself; and, second, the character of those indistinguishable millions who will trudge apathetically to the ballot box next November.

The President, as a politician, represents the ultimate perfection of a purely native type of demagogue which has undergone constant refinement since that day when Andrew Jackson first found the range of a White House cuspidor. Dr. Roosevelt is the high-powered house-to-house salesman who refuses to understand the meaning of the word "no". He is a William Jennings Bryan who has learned finesse. He is a Boies Penrose re-designed by Robert Edmond Jones. He is a tri-motored Mark Hanna with air-conditioning and free-wheeling. He is almost Jim Farley's own opinion of himself. In a word, he is the composite and final flowering of a half-dozen celebrated American type-characteristics — the infinitely skillful technique of Wayne B. Wheeler, the evangelism of Billy Sunday, the stubborn Utopianism of Dr. Townsend, the revengefulness of a Georgia cracker at a lynching bee, the elegance of a metropolitan political boss, and the equanimity of a Babe Ruth facing an ineffable Bronx cheer.

This candidate is marshalling his support from vast hordes of voters notoriously lackadaisical about exercising their privilege of discernment on Election Day. Leaving out of consideration those hundreds of thousands on the dole, who are being paid in dollars and cents for voting for Dr. Roosevelt, and those other thousands who are even more pleasantly established at the federal trough, there still remain many more than enough votes to cast the President out of the White House; yet these great masses of electors — known colloquially as the backbone of America — are quite capable of re-electing their present overlord just because they can be counted upon habitually to do the stupid thing. They have not, of course, the slightest comprehension of what actually goes on in the country, nor do they appreciate the character of the man who is currently hustling them along toward ruin. Bolstered by such slogans as "Don't change horses while crossing the stream", or "He is doing his best; let's give him another chance", they will very likely re-anoint the Messiah and bend their necks willingly to the yoke.

That is, unless the Republican Party is able, by counter-propaganda, to stampede them. Up to the present (this is written before the Republican Convention) the G.O.P. has not given the slightest indication that it has yet heard that William McKinley is no longer using the East Bedroom. That the Republicans have the greatest opportunity any political party has ever had, goes without saying. But that they will take advantage of it is open to considerable question.

The fact remains, and will remain forever, a fascinating case-history of mass psychology — that the most thoroughly repudiated leader the nation has ever countenanced stands a good chance of being

returned to Washington for four more years of further repudiation, come the first Tuesday after the first Monday next November.



The Dole

Every attitude toward the dole has been adopted by our masters, the politicians, except an attitude of realism. Here again, as in so many other phases of American life, the politicians and the public resolutely refrain from facing the facts. Those facts are, briefly, that we have with us a great mass of incompetent people who are congenitally unable to make a living and who have always been unable to make a living, but who were formerly supported, without ballyhoo, by private charity. We have also on our hands a smaller number of unskilled, or poorly skilled, laborers who are without employment because of various economic factors apparently beyond the control of the administrators of our production and consumption system. These people must be cared for. The reason for taking care of them is the reason of human decency.

The amount of twisting, turning, and torturing that these facts have been subjected to, without their existence being admitted, is extraordinary. Every conceivable scheme for solving the Relief problem has been suggested except the logical scheme.

The New Deal, leaping at opportunity, has simply bought the votes of the poor with Relief money: in any other country, Dr. Roosevelt's administration of Relief funds would be regarded as a scandal of immense and distasteful proportions. For it must by this time be obvious to everyone that the Administration is not even interested in solving the Relief problem.

On the contrary, it is to the direct political benefit of the Democratic Party to increase the number of voters on the Relief rolls and keep them there. So far Dr. Roosevelt has spent billions of dollars for Relief but has carefully refrained from expending the few millions necessary to take an unemployment census; as a result no one knows today whether there are twelve million unemployed in the country or two million. And there is no way of finding out. In this devious manner a personal political party of unpredictable power is being built on a foundation of human suffering and privation.

The Republicans suggest that the evils of Relief be corrected by turning over its administration to the States and making them pay their share of the expense; which is equivalent to saying that a member of a local Republican political organization is more honest than a member of a national Democratic organization, and hence will not use the money for political purposes. The whole business has developed to such an extent that there has even grown up a spurious law in the New Sociology — that the State owes every citizen a living. The dishonesty and fraudulence of such pretensions is illustrative of the shoddy methods employed by the representatives of the people.

There is, of course, only one realistic way to handle the problem of Relief. This is to supply every destitute American citizen with food, shelter, and clothing, but not one cent of money. Let the impoverished be given food tickets, vouchers for rent, heat, fuel, etc., and all necessary clothing. But no cash. No liquor, no tobacco, no newspapers, no movies, none of the luxuries. It is obvious that under such a policy, the number of those on Relief would diminish rapidly. Moreover, if access to the Relief rolls, and return to them

after temporary employment, were made easy and rapid, those thousands who now refuse legitimate employment because they prefer the security of Relief would be reduced in number at once. No one would remain unemployed who could be assimilated into business. And the irreducible minimum of unemployables would get just what they deserve — sustenance.

There can be no valid objection to this realistic program on any grounds save the political. As a solution to the problem of Relief it is humane, equitable, just, efficient, and feasible. But — probably for these very reasons — it has never been advocated by a single political leader in America. And it never will be.



Permanent Townsenditis

There is a general hopeful impression on the part of people who like their mental comfort that the Townsend Old Age Pension movement will collapse if and when the congressional investigation has proved that an official of the cause dipped his fingers in the till or inveigled a comely headquarters stenographer into drinking cocktails in a hotel bedroom. Though a juicy scandal might conceivably poison the promotional careers of some of the present Townsend hierarchs, there is evidence that the Townsend type of agitation will hence-

forth prove indestructible, regardless of what happens to its present leaders or followers.

The outlook for future Townsend activities is to be found in the census actuarial estimates. Twenty years from now there will be nearly twice as many economically superannuated men and women in the Republic as there are today; a smaller proportion of them will be employable in high-speed technological industries; and, judging by the job-getting difficulties of the 1929-36 younger generation, they will have had on the average a much shorter working life per capita in which to acquire an old-age competence. They will feel as self-righteous as the aged have always felt about claiming support from the nearest source of bounty; they will have had twenty years' additional experience with the new American science of chiseling from government; and, because of the rapid disintegration of old-fashioned, large-household family life, considerably fewer of them will be getting board, keep, and tobacco money from younger relatives.

Whether the complacent like it or not, the stage is therefore rigged for bigger and better Townsend movements. It is quite possible that the Old Age Pension will be the *panem et circenses* of the Republic's final disintegration. Rome fell before the barbarians; we may be pushed over by the gaffers.



AMERICANA

ARKANSAS

A STUDENT in the cloistered halls of Commonwealth College finally Sees the Light and reports immediately to the *Fortnightly*:

I am being introduced to new personalities in the field of thought, history, economics and sanity. All of which means that I have been reading the works of that genius of all genuises — Karl Marx. I can't understand how one man in a single lifetime could amass such a store of knowledge with such foresight, and present it in such a clear manner as did Marx. Read his works and the whole dizzy and confusing world about you becomes crystal clear.

CALIFORNIA

PROGRESS of dinner etiquette in the Beverly Hills region, as noted by the alert *Hollywood Talkie-Talk*:

Lili Damita brings her make-up kit and manicure set to her dining table and "makes up" four or five times during the meal.

How a great maestro made a momentous decision in the realm of Art, as told by Cecil B. DeMille to an inquiring reporter for *Hollywood Talkie-Talk*:

"I picked her," said DeMille, "for the way she leaned against a door-post in a one-reel Mack Sennett comedy. She was leaning there looking sorry about somebody who had just fallen downstairs, bumping all the way down. I got from Swanson in that moment, probably six feet of film, the thing that made her the world's greatest star for a long time — and that was not her beauty, but her genuineness and appeal."

DISTRICT OF COLUMBIA

A GIFTED Elk, Joseph Patrick Monaghan (Dem., Mont.), neatly disposes of the judiciary, lately so annoying to the New Deal, in H.R. 10804, introduced to amend the Securities Exchange Act:

Federal judges are forbidden to declare this Act of Congress unconstitutional. No appeal shall be permitted in any case in which the constitutionality of this Act is challenged, the passage by Congress of this Act being deemed conclusive presumption of its constitutionality. Any Federal judge who declares this Act unconstitutional is hereby declared to be guilty of violating the constitutional requirement of "good behavior" upon which his tenure of office rests and shall be held by such decision *ipso facto* to have vacated his office.

MARYLAND FREE STATE

THE value of a lost *frau* as recorded in a public notice in the *Arcadia Argus*:

Some one took my wife from my home on Saturday evening, and I don't know where she is, therefore, I will not be responsible for any debts contracted by her. Two dollars reward for information as to her whereabouts.

JOHN SMITH,
Pleasanton

MINNESOTA

AN OLD-FASHIONED couple advertise for an old-fashioned girl in the *Walker Pilot*:

WANTED—HIRED GIRL

Must be honest — Come Recommended. Young widow preferred, about 23 to 30. No older. No children. One who wants a good home. Have good room of your own

and food a-plenty. Must know how to cook, keep house neat. One who does not want to run out nights with boy friends. She must be fairly good looking, about five feet-five or six, weigh about 135 to 145 pounds, healthy, neat in dress. Not afraid of work. She must carry in wood and water. Reason: I am not able to do so. She must cook, wash clothes—have electric lights, iron and washer. Girl must help out in summer tourist trade by waiting on customers in store. Must be pleasant and kind to customers. None of this is hard if you are the right person. We go to shows, dances and parties some. Our help is one of us, not an outsider.

We are old people, yet not those old cranky kind. Like fun as well as ever.

Girl must work cheap—can't afford big wages. State wages expected in first letter.

No cigarette smoker or flapper need apply.

MR. AND MRS. E. O. FRANKS,
OUTING, MINNESOTA

NEBRASKA

CONNUBIAL reminiscences of a reader of the eminent Omaha *World-Herald*:

When we were married my wife was twenty-two years old. Common sense ought to tell anyone that when a woman is twenty-two years old and she does not know anything it is time to teach her. We were not rich by any means when we were married. To tell the truth, we were almost penniless. Imagine my surprise when I came home one evening from work and my wife took me into the little home and showed me a hat which she had just bought a few minutes before and had given \$40 for it. This was back in 1896. I was making \$30 a month and it kept me going to make both ends meet.

When my wife showed me the \$40 hat, what do you think I did? I said to her, "I am only making \$30 a month and you should have known better than to cause me to work for a month and a third to pay for a hat." The worst part of it was that the meat bill, the grocery bill and the house rent were not paid, but she had managed in some way to save up \$40 to pay for the

hat. It gave me some pleasure to know that the hat was paid for, even though the other bills were unpaid.

I read the weekly paper (we could not afford a daily). She done the supper dishes and then we talked a while and decided to go to bed. She went in the bedroom and I went out the back door and across the lot to my neighbor's barn. I knew he had a good horse whip there, so I took it and came back to our house and went in the bedroom where my wife was in bed.

I lit the lamp and told her to get up. She came and sat on my lap. I told her that she did wrong by spending \$40 for a hat when we were so poor and had only been married four months. She said she would never do such a thing again. But I knew if I did not give her a thrashing then that I would have to later on. So I gave her one of the soundest and completest thrashings that a wife ever received. Of course she was not able to get out of bed for several days. When the neighbors asked me where my wife was I told them that she had gone back East to visit her mother. In the course of several weeks she was able to be around and completely recovered from the thrashing that I gave her.

She thanked me for the thrashing that I gave her and she took the \$40 hat down to the church where they were holding a rummage sale and one of the neighbors bought the hat for fifteen cents.

All this happened 30 years ago. That was the first and last thrashing that she ever received. We have never since that day spoken a cross word nor had a quarrel or a fight. But she has often told me that after I gave her that thrashing she loved me all the more.

NEW YORK

AN EPOCHAL journalistic mystery is solved by the embattled editor of the New York *Daily News*:

The News was on the streets with a flash report of Bruno Hauptmann's death in the chair several minutes before Hauptmann actually was executed. What happened was this. We had arranged for a telephoned code-word signal from inside the prison at

the death moment. The code-word was: "He's gone."

When the guards went to bring Hauptmann to the electrocution chamber, our man called over the phone in an excited voice: "He's goin'!"—which was taken at *The News* office end to be: "He's gone." Accordingly, word was flashed to the composers and pressmen to shoot. The paper was on the way to the news dealers seven minutes later, which was several minutes before Hauptmann actually did go.

FOOLPROOF method of distributing the Message of Marx, as devised by a reader of the erudite *Daily Worker*:

Editor, *Daily Worker*:

I have a copy of the *New Masses* to give away. I tear it loose, leaf by leaf. Then into the subway it goes. Twenty-one leaves, two pages to each. Each leaf contains the caption "New Masses" at the top. In this way an enemy cannot seize it and remove it from the car. It reaches a number of people, instead of just one.

R. L.

OHIO

A GIFTED modern philosopher comes to an interesting conclusion in the distinguished Cleveland *Expositor*:

Jesus was the perfectly streamlined character. When we give our allegiance to Him we are proclaiming a belief in his Godlikeness and our desire to be like Him—a streamlined character.

IN OTHER NEW UTOPIAS

CHINA

THE perfect rejection slip, as quoted by the Columbia University Press:

We read your manuscript with boundless delight. By the sacred ashes of our ancestors we swear that we have never dipped into a book of such overwhelming mastery.

If we were to publish the book, it would be impossible in the future to issue any book of a lower standard. As it is unthinkable that within the next 10,000 years we shall find its equal, we are, to our great regret, compelled to return this too divine work and beg you a thousand times to forgive our action.

ENGLAND

THE traditional note of British sportsmanship is observed in a football match between Ellesmere Port and Neston, as chronicled by the *News of the World*:

The trouble began with four minutes left for play, and Ellesmere leading by 3 to 1.

J. Bellingham, their left-back, received a blow on the mouth from a spectator, who dashed on to the field. Other spectators and players hurried to his assistance, and a wholesale invasion of the pitch by over 100 people followed. Every member of the Ellesmere team came in for hostile treatment, the referee being powerless to intervene. Their captain, J. Hughes, was felled to the ground, kicked on the head and stomach while prostrate, and rendered unconscious. The youngest and smallest player on the side, J. Beahon, was also rendered unconscious by a blow on the jaw. Both were taken to hospital.

GERMANY

THE theory of Aryan purity is taken to sea by Johann Ernst Scholtz, a member of the Racial Bureau of Hamburg:

Mackerel caught off the German, Norwegian, and Dutch coasts and which live in the North Sea are distinguished from Breton and Russian mackerel by certain immediately recognizable features. The Nordic mackerel is large and fat, while those that come from farther south are small and thin. It is obvious that the crossing of these different races of the mackerel is dangerous for the Nordic mackerel, which will finish by being absorbed by the unworthy Oriental mackerel.

THE STATE OF THE UNION

BY ALBERT JAY NOCK

The Politicians Take Over

Now that the conventions are over, the thoughtful citizen will have plenty of chance before November to observe our political party system in its most revolting aspect. If he has nothing else to do, and if his stomach is strong enough, he can put in a whole summer watching full-grown men mincing and strutting in a filthy little competition for jobs, like Mississippi darkeys at a cakewalk. As a way of entertaining oneself, there is little to recommend it over and above the lower grade of burlesque, which it essentially resembles. When all comes to all, the role of a candidate in a campaign is that of a "stripper", affecting an insouciant nudity, and presenting himself in inviting poses which everyone knows are not to be taken seriously, but are merely a meretricious counterfeited assumed for the occasion; while the accompanying patter and ballyhoo is furnished by the gigantic wind-machine of professional politicians, publicists, editors, and a miscellaneous chorus of hangers-on.

For those who like that kind of show, and they seem to be many, it is probably about the kind of show they like. Others, however, are inclined to regard it as dull and indecent, and to complain about the price of admission, which we all have to pay whether we like the show or not, and which forsooth is scandalously high. In fact, many are seriously dissatisfied and sore about having to dig up for these obscenities, especially as their cost increases steadily, with every sign that it will keep

on increasing as long as there is a single stray dollar left in sight. After all, these grumblers say, one snappy female shape is so much like another that when you have seen one you have pretty well seen them all, so why keep up the show? Moreover, since we all know that their bawdy allure is bogus and does not mean a thing, why should we be stung so frightfully for a colossal and rather disgusting humbug?

There is a good deal to be said for this view of our great quadrennial burlesque and the innumerable local shows of the same order which are put on all over the country between times. Some notable authorities have spoken out plainly on the matter, and what they say is worth examining for the sake of showing our disgruntled citizens that they have some highly respectable opinion on their side.

As we all know, these shows are organized and stage-managed by professional politicians. What, then, is a politician? Abraham Lincoln would probably be accepted as a star witness on this point, as being a politician himself and as having mixed with politicians long enough to learn the earmarks of the breed. We may recall that his birthday was celebrated throughout the land last February with the customary run of political dinners and the customary run of rhetorical drivel from hollow impostors seeking to make capital out of his memory in the customary way. Next day the *Baltimore Evening Sun*, which knows a hawk from a hand-saw where politicians are concerned, re-

marked editorially that there is one saying of Lincoln's which for some reason was not cited on any of these occasions. Here it is:

Politicians are a set of men who have interests aside from the interests of the people, and who, to say the most of them, are, taken as a mass, at least one long step removed from common honesty.

Lincoln was the ablest politician that the United States ever produced, and I think we make take it that he knew what he was talking about. The thing to be remarked is that he was not speaking of Democratic politicians or of Republican, Socialist, Farmer-Laborite, Communist, Fascist, or any other stripe of politician. He was speaking of the politician as a genus, wherever found and under whatever label. The characteristic mark of the politician is that he has interests aside from the interests of the people, and his departure from common honesty is in the fact that while he is in a position of trust for the interests of the people, he bends those interests to advance or maintain his own. The politician is interested in jobs, and in the advantages and emoluments which accrue from the holding or distributing of jobs; and whenever this interest collides with public interest, it is always the latter that must give way.

This characteristic peculiarity is what caused another great politician, Lord Salisbury, at a period when British politics were at their best and cleanest, to say that "politics is a game, and a dirty game at that". It is also what was in Mr. Jefferson's mind when in 1799 he wrote Tench Coxe that "whenever a man has cast a longing eye on offices, a rottenness begins in his conduct". The citizen would do well to post up these austere sayings side by side with Lincoln's definition, and meditate on them prayerfully every day of this present cam-

paign. He might in fact get a little diversion of a mild kind if he took these sayings and applied them to the behavior of every jobholder and jobseeker concerned in the campaign in any capacity from the highest to the lowest, and then decided for himself how well they fit. An honest newspaper would do an excellent public service by running them every day as a standing head for its political news. I suggest that the Baltimore *Evening Sun* should set the example.

So much for the individual politician; we may now take a brief glance at political parties and the "party system". This campaign is launched and carried on under the name and auspices of various parties. What is a party? It is an aggregation formed around a nucleus of individual politicians; that is to say, a nucleus of men who are interested in jobs. They are interested in so-called issues or principles only so far as these may be made contributory to their interest in jobs. The only actual differentiation among them is that one is a party of jobholders, and the others are parties of jobseekers. One is in possession of the advantages accruing from the holding and distributing of jobs, and wants to keep them; the others are without those advantages, and want to get them. Mr. Jefferson described the party system accurately and fully in two sentences (and we notice that, like Lincoln's definition, they are never quoted by politicians):

The nest of office being too small for all of them to cuddle into at once, the contest is eternal which shall crowd the other out. For this purpose they are divided into two parties, the Ins and the Outs.

The practical outcome of the party system was described by Benjamin Franklin in a few notes that are characteristically brief and to the point. Benjamin may have had his little failings, but he has come down in history as an uncommonly sagacious and

observant old boy, and it is interesting to see how exactly his view of the politician corresponds with Lincoln's.

While a party is carrying on a general design, each man has his particular private interest in view.

As soon as a party has gained its general point, each member becomes intent upon his particular interest. . . .

Few in public affairs act from a mere view of the good of their country.

Fewer still in public affairs act with a view to the good of mankind.

The workings of the party system have not changed an iota since Franklin's day. While each of the parties engaged in this campaign "is carrying on a general design" to win the election, each man keeps his own interest more or less in abeyance, because if the general design fails (that is, if the party does not win), his interest fails with it. He is bound to the party by what Grover Cleveland so well called the cohesive power of public plunder. But he has his own interest constantly in mind, and as soon as the party "has gained its general point", he immediately proceeds to cash in on his allegiance. This was the way the party system worked when Franklin commented on it. This is the way it has worked ever since, and the way it works now.

These matters can not be too carefully studied. The conventions and the campaign this summer can not be too strictly interpreted by the light which they throw on the kind of men concerned, and on the purposes which those men have in view. Just four years ago, on the eve of the convention that nominated Mr. Roosevelt, H. L. Mencken wrote in this magazine:

If I had a son, I should take him to both national conventions every four years, and let him see how his country is governed, and by what sort of men and women. . . . It is instructive to observe these great men at the solemn business of selecting a First

Chief for the greatest free Republic ever seen on earth. One hears in their speeches such imbecilities as even a Methodist conference could not match. One sees them at close range, sweating, belching, munching peanuts, chasing fleas. They parade idiotically, carrying dingy flags, and macerating one another's corns. They crowd the aisles, swapping gossip, most of it untrue. They devour hot dogs. They rush out to the saloons. They rush back to yell, fume, and vote.

II

Now let us look forward to the first Tuesday after the first Monday in November. On that day one party, no matter which one, will have "gained its general point", leaving each of its individual politicians free to become once more "intent upon his particular interest". Just what does the citizen think will have been gained from all this, from the point of view of the country's general good? What will the country at large be likely to get out of it, and in what way will it be better off, and to what extent?

Politicians having particular interests "aside from the interests of the people", are precisely like anybody else who has particular interests. It is human nature to push those interests as far and as hard as they can be pushed without too great risks of coming a cropper. We all do that. Richard Croker, an astute politician and as frank about his vocation as Lincoln was, said that he was "working for my own pocket all the time, just like everybody else". We may put it down then, I think, that the politician's assiduity is limited only by what the traffic will bear.

Collectively, therefore, as the nucleus of a party, the politician behaves just as he does individually. Hence when a party "has gained its general point" and is seated in power, as one or another of our parties will

be next November, it may be expected to levy on the public as heavily as it can without jeopardizing its chances of re-election. This may be seen at once to be the natural course of things, and it is what has always taken place. The former senator from Utah, Mr. Smoot, put this tendency in the form of an aphorism, which the unregenerate ironically speak of as "Smoot's law of government". He said that the cost of government tends steadily to rise from year to year, no matter which party is in power. This is quite true, and anyone who has gone through the foregoing analysis will see why it must be true. The tendency is to keep up a constant pressure on the limit of what the traffic will bear, and to push that limit steadily forward.

The prospect of popular dissatisfaction and revulsion, then, is the only check upon the politician's rapacity. Mr. Jefferson wrote austere from Paris to Edward Carrington that "if once the people become inattentive to the public affairs, you and I and Congress and Assemblies, judges and governors, shall all become wolves. It seems to be the law of our general nature, in spite of individual exceptions". Thus sometimes, as in the period 1920-1929, politicians can profit hugely by a general spirit of careless freehandedness. Sometimes also it happens that an unusually pressing preoccupation of an adverse kind will frighten the people into a hysterical inattention which puts no limit whatever to the amount of depredation that the traffic will bear. This was the case in 1917, for example, when the people were preoccupied with war, and money was no object. It was the case also at the time of the Presidential election in 1932, when the disturbed state of the public mind opened an unexampled opportunity for raiding the citizen's pocket; and no sooner had the winning party "gained its general point" than its politicians all became wolves, precisely

as Mr. Jefferson said, and went on the rampage with insatiable voracity.

This state of mind exists no longer, and the citizen may now expect a reluctant response to the demand for retrenchment. The response will be about the same, however, no matter whether the present Administration holds on or is succeeded by another, for the standard of economy will be popularly set by the record of the term ending in 1936 and not the term ending in 1932, or terms previous. Smoot's law will hold good, and any administration showing an economy over 1932-1936 will be acceptable, even though it shows a prodigious advance over 1928-1932 and any term before that.

So whichever way the cat may jump at the forthcoming election, the citizen stands to profit very little by any pretense or promise of economy that any party may make during the campaign, for he may put it down once for all that there is no such thing as a party of economy. Politicians of one party will steal and waste as much as those of another, since those of any and every party may be counted on to steal and waste as much as they dare; and the opportunities for stealings and wastage would obviously be no greater for one party than for another. The citizen may have the consolation, whatever it amounts to, of knowing that they are not what they were in 1932, but that is about all.

Therefore the outcome of the election would seem to make very little actual difference with the average citizen. It has long been notorious that the average American has only a sporting interest in politics. Foreign observers have remarked this and commented unfavorably on it, but it really shows the working of a sound instinct, for that is all they deserve. The pretenses of the party system have been worn so threadbare, the essential identity of all parties has become so manifest, their actual aims and ob-

jects are so clear, that it has long been impossible to regard their recurrent ob-scene exhibitionism with any kind of serious interest; and the instinct which leads so large a section of the public to appraise them at their true value is a sound one.

In fact, the party system has been so far stripped of any semblance of reality that it has run clean out of plausible issues. Formerly there were some that would bear discussion, but rank betrayal ended their usefulness, and they exist no longer. The tariff was once supposed to divide Democrats from Republicans, but as an issue it has been dead as Tiberius Caesar ever since Cleveland's second term, when the Democrats sunk their knives in it. The Wilson Administration went through the motions of passing a tariff bill, but the present Administration, nominally Democratic, has not thought it worthwhile even to do that. The doctrine of State Rights was a pretty good stalking-horse for some time, but if

post-Roosevelt Democrats trotted it out now they would be laughed off the face of the earth. The truth is that there is not ingenuity enough in either major party, from Brother Hoover up to Ham Fish and from Two-Job Jim Farley down to F. D. Roosevelt, to devise an issue that the veriest illiterate stevedore on the North River waterfront, if he took it seriously, would not greet with a rousing Bronx cheer. Our parties have been in just that fix for years; and hence they have been reduced to putting out pitiful tattered scarecrows like free silver, Prohibition, and unemployment relief, which would not deceive a canary bird.

Hence the citizen need have but little trouble in forecasting what this election will bring him. If he takes the campaign and the election in the right spirit, he will get some education out of them, and that, after all, is the great thing where politics are concerned; but he will get little else that is worth getting.



WALKING ALL WAYS AT ONCE

BY ALBERT CLEMENTS

I WALK this walk alone. A rainy night
Is best because the rain-pools furnish light
Disclosing animated passages
Winding all ways at once. What really is
A road becomes a thousand roads that show
A thousand more, and each one seems to go
All ways at once. Almost as if a hand,
Though this is more than man should understand,
Were dropping all the different roads across
My feet so that, at a tremendous loss,
I never know which one to take. Consequently
I take them all and amazingly am free
To be all places in a single breath —
By roads proclaimed ambassador of death!

THE LIBRARY

They Got What They Wanted

By JOHN W. THOMASON, JR.

HAIL, CAESAR!, by Fletcher Pratt. \$3.50.

Smith & Haas.

CHRISTOPHER COLUMBUS, by H. H.

Houben. \$3.50. *Dutton.*

PETER CALLED THE GREAT, by Maurice Bethel Jones. \$3.00. *Stokes.*

JULIUS CAESAR, Christopher Columbus, and Peter Romanov were separated by centuries and other matters, but they had it in common to be dissatisfied with things as they found them, and they so dealt in their lifetimes that things after them were different. Caesar swept away the rubbish of the old Republic and set up the Roman Empire. Cristoforo Colombo, who wrote himself before he died Cristóbal Colón, Admiral of the Ocean-Sea, expanded the physical frontiers of the world by a couple of continents; and Peter, fantastical and improbable Muscovite, seized his huge country by the hair and kicked her, all unwilling, from a frowst of barbarism into the modern age. And since Russia has produced the man Lenin, it may come about that Peter's impact upon the progress of mankind, from here to yonder, will prove the greatest of the three.

Hail Caesar! comes from the versatile Mr. Fletcher Pratt, prolific writer, who has recently published *The Heroic Years*, a study of the period of America's War of 1812; and *Ordeal by Fire*, an informal story of the War Between the States. Julius Caesar was the son of a slightly down-at-heel equestrian family in the

Rome of the Republic. After he came up in the world they traced his line back, through Aeneas and Anchises, to Venus herself — Venus Genetrix; but the Julians had never rated with the really important families, like the Catos, the Scipios, or even the house of Pompey. As all the young gentlemen of his time, his early training was in rhetoric and adultery; and he followed custom into local and then territorial politics. Fairly late in life, he turned to the military art, and through that field, to statesmanship, or perhaps it was the other way about. The soldiers have taken him into their pantheon of Great Captains; but he was, in effect, the New Dealer of his day. He found the Republic rotting to dissolution, the Wall Street of the time securely in the saddle, the citizenry, the army, and the provinces up for sale to the highest bidders, and elements of disintegration busily worming through every part of the unwieldy and disorganized political structure. Except that in the chemistry of his mind and body he had the explosive element called greatness, it is hard to make a design of Caesar's life. His appointment to be pro-consul of the Gallic provinces came to him in the way of politics: unrest among the Germanic tribes offered him a large and spectacular field of operations: and somewhere during the years of the Gallic campaigns — perhaps in meditation on the march, or by the campfire

—he became imperial-minded. He subdued the barbarians by clever battles and impressive slaughters—the only arguments that they could understand: he raided twice into Britain, opening the road to formal conquest which he himself did not live to make: and the fame of him became so great in Rome that the Senate—which had hopefully posted him off to Gaul and oblivion—came to view him with alarm. They sent him orders to lay down his command and come home. He came, but he brought his war-hardened legions with him, and there followed the civil wars.

How he broke Pompey, and how he proceeded through the provinces, smashing the opposition wherever it came to head, and how he dallied in Egypt with Cleopatra, and how he returned to Rome for the consolidation of the whole, laying with sure strokes the groundwork of the greatest Empire in recorded times—all this is told by Mr. Pratt in sprightly style and modern idiom. The tortuous elements of Roman politics take familiar forms in this author's hands. Caesar's problems included the dole, the public works relief, the bonus marchers: matters that today vex our own young Republic. He met them with unruffled good humor, cheery cynicism, amazing energy, and unusual competence. He achieved great reforms, and probably bettered the social and economic conditions of all the Roman world. His plans included social and economic readjustments even more sweeping. He did not live to finish them. For Caesar had a fatal weakness about killing. Unlike the stern realist Sulla, who destroyed his enemies as he came up with them, and, in consequence, died quietly in bed, Caesar let them live. And they stabbed him to death in the Senate Chamber, he being in the fifty-sixth year of his life, with many more

good years left in him. The dull Octavius carried on his work, eschewing the fallacy of magnanimity, and became Caesar and Augustus.

It is a readable and interesting book, peculiarly timely today: for it shows again that there is nothing new under the sun. I would quarrel only with Mr. Pratt's judgment that Caesar was a third-rate soldier because, says Mr. Pratt, he allowed himself to be surprised in the field, because he was careless about reconnaissance, because he let them flank him here and there. True: but these are tactical details; and Caesar was not a tactician. Few of the Great Captains have been tacticians. Napoleon thought so little of minor tactics that he did not, in the twenty years or so he controlled the armies of France, issue a drill-book or a set of field service regulations. Lee was an indifferent tactician. Grant was not a tactician at all. But Caesar understood morale, and logistics, and the principles of the Objective and of the Economy of Forces. His campaigns that terminated in the battles of Pharsala and Munda are to this day the delight and admiration of military students.



Of all the earth's distinguished men, there are few whose origins and antecedents have been so shrouded in doubt as the beginnings of the man Cristóbal Colón, whom we call Columbus. In the days of his achievement, he wrote himself High Admiral of Spain, Admiral of the Ocean-Sea; but he was consistently reticent upon such matters as his own vital statistics. Moving among the grandees of the Most Catholic King, where genealogy was important, he had to be; for the fact is, he was a nobody. So carefully did he cover his tracks that only in recent years have the patient methods of modern re-

search traced him down. There seems to have been a Ligurian wool weaver of no family, who moved to Genoa and kept a tavern there, some time in the fifteenth century; and he had three sons, Cristoforo, Bartolomeo, and Giacomo. Mr. Houben, a Dutchman, I think, sketches for us the Genovese water front, and these three unattractive children listening to the tales the sailors tell over the rough wine and goat cheese of Domineco's grog shop: then he produces his documents and attempts to rationalize them. There are a great many documents, but the trouble is, they conflict. The worst inconsistencies are found in the papers of Columbus himself. For instance, the great navigator and geographer (exact sciences) says in a statement to their Catholic Majesties that he has spent fifty years at sea: plainly he forgets one nine-year period on the beach, and another one-year period unemployed, through which he can be accounted for on muleback rather than afloat, hammering at the doors of great houses in Lisbon and Salamanca and elsewhere; not at the gates of a new world. Also, he says in a report that he has sailed a hundred leagues west of Thule, which we know as Iceland: but the best evidence is, one day's sailing.

When he came upon the European scene, men's minds were already stirring towards new worlds. The fine Portuguese prince, Henry the Navigator, had put the seal of gentility on exploration, and Colón, shopping from court to court in search of a patron, found persons of the highest consideration who spoke, as it were, his language, who complimented his facility with charts (he was a clever draftsman), and who allowed him to babble his heresies with the kindly tolerance the gentleman has for the misguided commoner. How the man escaped the tender mercies of the

Inquisition is one of the marvels of history.

Yet he was persistent. He believed in something, with an ardor and a passion that neither time nor ridicule nor indifference abated. He was will incarnate. Eventually, the fat and pious Isabella the Catholic, having won her Moorish War, and being at some leisure, gave him his small squadron, his convict crew, and his commission, and he sailed westward into glory.

It is beside the point to argue that he didn't know where he was going when he started, and that he didn't know where he was after he arrived: that he was, in fact, some eight thousand miles out in his reckoning and his fixes: that he died believing he had found the westward road to India. More facile fellows, with better social connections, followed along the path that he had opened and corrected his mistakes in navigation and geography, and made good his gains. He had his brief hour of sunlight after long striving, and went into the shadow again, to die obscurely in poverty and disgrace. But in the knightly and worshipful company of adventurers, there is none of higher soul and more splendid daring than this long-legged and disputatious captain whom we call Columbus.

Mr. Houben has searched all the annals, and sets forth the story of the man with sympathy and humor and praiseworthy economy of material. It is the best story of Columbus that I have seen.



Peter Called the Great is historical romance, which is no bad way to teach history. Mr. Jones is a modern: he has no particular inhibitions. His Czar romps through 379 pages with a bawdy and obscene magnificence. That incredible Romanov was born in 1672, to feeble parents

on an unstable throne, became junior Czar at the age of ten, and was Autocrat of all the Russias at the age of seventeen. His tutors were two accomplished rakes, a Scotchman and a Swiss, and between them they made him understand that there was something in the world beyond the misty spaces of Muscovy. At the age of twenty-five he went to look at it. His grand tour through the Europe of the seventeenth century is one of the most fantastic of journeys. In a year and a half, he studied gunnery at Königsberg, naval construction at Deptford and Saadam, anatomy at Leyden, engraving at Amsterdam, and plain and fancy debauchery everywhere.

Polite annalists of the several courts have left memoirs on his visits: they saw a satyrish giant of stupendous appetites and simian humor: they did not see that the creature gulped information as greedily as he gulped brandy—and carried it better. In Carlisle's *Frederick* there is a shocked note on Peter in the Prussian Court: Carlisle, a great prude, observes with horror only a lecherous savage snatching a pretty girl.

Mr. Jones' story opens with Peter's return to Russia in 1698. There was reported to him the revolt of the *Streltzi*, a sort of aristocratic militia, not dangerous at all, the historians think now—but by way of letting his people know that he was home again and feeling fit, Peter destroyed the *Streltzi*: he destroyed them with such a thoroughgoing and calculated cruelty that even the memories of Ivan the Terrible faded out.

Much refreshed, the Czar then turned to the modernization of his kingdom. He made the men shave; he forced the women into corsets. He put the court into the elegant garments of Paris; the army into uniforms of German fashion. He built his

imperial city in the marshes of the Neva; he set about an extensive naval program; he reorganized the army, the judiciary, the system of education. If his lusts were superhuman, his energies were superhuman also: no day was long enough for the work he found to do.

With matters moving forward at home; he turned to international affairs: he challenged Sweden, which held the hegemony of the north under King Charles XII, one of the ablest Captains who ever lived. Charles destroyed Peter's army at Narva: Peter led the retreat—he was always a physical coward—then turned industriously to the raising of a new army. The war dragged on for years: my good brother Charles, says Peter, rising cheerfully from disaster after disaster to try the Swedes again, is teaching me War. Such determination had, as it always has, its reward: and after some years of lost campaigns, he broke the Swede King utterly at Poltava: Creasy rates Poltava one of the fifteen decisive battles. There were Turkish campaigns, and Saxon and Austrian adventures: Russia was the supreme power in the north when Peter the Great had finished his work.

Through the book runs the miserable tragedy of his son, the Czarevitch Alexis, a lymphatic weakling, dead at the last from tortures. The tale is much of Peter's mistresses and gloomy orgies. He had many talents, and also syphilis. He was in all respects the perfect autocrat; one of the great carnivora. And such a life, such achievement, such a career, were possible only in Russia: perhaps still possible in that strange country.

Caesar, Columbus, Peter the Great: I suppose the lesson is that what a man wants, if he wants it long enough and hard enough, he can get; and it usually serves him right.

Glancing Right and Left

BY LAURENCE STALLINGS

VIVE LE ROY, by Ford Madox Ford.
\$2.50. *Lippincott*.THE THINKING REED, by Rebecca
West. \$2.50. *Viking*.DARKNESS AND DAWN, by Alexis
Tolstoi. \$2.50. *Longmans, Green*.

MR. FORD, in the midst of the bewilderment which has struck intellectuals, prefers not to look at the past just now. Rather than essay a serious glance into the future, he decides to toss his speculations into a potboiler; but it is easy to libel Mr. Ford with the desire to make a little money out of his book, for Mr. Ford is a professional, makes his living by writing, and has the most laudatory of intellectual aims, which is the acquisition of Roosevelt money in return for the practice of sound prose. The true significance of a good man doing a potboiler lies not in his desire to coin money, but in his inability to do anything better than a potboiler with the subject under view. Mr. Ford, in days gone by, has done superbly with the most serious and profoundly intellectual of novels about the Great War: the Tietjens saga concerned something about which Mr. Ford had felt deeply and clearly. Translating these reactions into the novels, he achieved fine distinction in *Some Do Not*, *No More Parades*, etc. But the glimpse into the future finds Mr. Ford pawing over several detectives in an effort to melodramatize the next tribulation of La Belle France. The result is pretty bad.

To get on with the painful duty of slamming a writer of such excellence as his articles in *THE AMERICAN MERCURY* have attested, his story, were it translated into detective prose, would be a rather good one: but the writer needs that quality which

Don Marquis once regretted he lacked. Mr. Marquis, setting out to amass a fortune by writing a novel indistinguishable from one by Harold Bell Wright, discovered quickly that he could not write as badly as Mr. Wright, and concoct the same sort of earnest, city-hating bigots sprawling in rustic hickerries somewhere in the Ozarks. "I lack," Mr. Marquis said with deep resignation after a full day's groping, "the moral earnestness of Mr. Wright."

Thus, for Mr. Ford, the idea of crowning a Bourbon king of the French Republic and issuing in a new era of monarchy (with the secondary idea of kidnaping a Bourbonesque American and dragooning him into the bogus kingship), is something to be tossed into the pot. With a writer such as S. S. Van Dine, the thing might achieve a sale. (Though I personally would be burned at the stake before acquiescing to a reading of it.) On the other hand, Mr. Ford's book makes painful reading. There is so much pother about a Scotland Yarder and an agent of the Sûreté, and about a girl art student. Granted that Mr. Van Dine would have talked the horns off a reader, with learned disquisitions on Henry of Navarre's fondness for *petite marmite*, at least he would have succeeded in effecting murders with greater earnestness, creating in the reader a state of moral indignation as a teaser to the strip-act of the final chapter. Mr. Ford, I fear, is a man of such natural nobility of purpose, and is so accustomed to writing of intelligent people, that he cannot descend to a sub-stratum of intelligence whereupon most detectives, bulldogs, and detective-story writers rest their intellectual hinder-parts.

Miss West, who has carefully cultivated her garden as an essayist of wit and shrewdness (with an occasional ornamental novel for a set-piece), now tackles the

immediate past in a satirical novel of France during the Golden 'Twenties. She deals deservedly with the earth's upper scum, those unfortunate people who dress their well-worn, and fill their cavernous, bellies out of largesse dealt by the wealthy saunterers down the primrose psycho-paths of the French Riviera. Miss West, though carefully keeping to gentility in assembling, spearing, and cardboarding the Lepidoptera of the French coasts, nevertheless can harpoon big game when she pleases; and it pleases her often, through the medium of a French industrialist seemingly invented only for the purpose of spouting Miss West's magnificent gasconades, to inveigh against the pimps and princesses of the *haut monde*. Those who care to hear the English, as well as the French, aristocracy reviled with Voltairean acuteness can find some of the loveliest horseplay imaginable in Miss West's sweet excoriations.

Mix any intellectual woman with even parts of water and you get a solution of vitriol. With the present lady-author, the formula runs like this: Rebecca West plus $9 \times \text{H}_2\text{O} = \text{H}_2\text{SO}_4$. Nothing is more pleasant than to find a fine, sensible woman in an excoriating mood. Thus the novel is sheer joy—in Miss West's métier. She wallows among the aristocrats with the ease of sour-mash floating down an Arkansas creek. Her satire ranges from automobile manufacturers to munitions makers, from English geldings in Saville Row clothes to the brood mares who are turned into French pastures for the winter. Her story would meet the sound approval of the Viennese doctors, for she deliberately puts her book into the hands of the most capable character in it, the aforementioned French industrialist who does not vary from the norm: that is to say, he likes to accumulate, at first hand

and on his own merits, wealth, power, and beautiful women. The wealth is in a Citroën-ish sort of factory, the power that of an industrialist who leaves the study of a factory to the foreman, and who concentrates on charting the changing currents of womankind. The Woman is Miss West's heroine, a lady out of Creole Louisiana who can add, subtract from the first price of her modiste, play the piano, and multiply—a woman patently from that glorious, but fast disappearing tribe in fiction, the females who can be characterized as Femininity. Little wonder that M. Salafranque, the irate, talkative, and normal hero, devotes about twenty-three waking hours a day towards convincing her that he is the man of destiny.

The book ends as M. Salafranque and Mme. Salafranque (the Creole beauty) are eating onion soup in their *maison* preparatory to retiring for a night of reconciliation. The reader puts it down with the profound conviction that Miss West has done a beautiful job of a satiric novel which comes off most pleasantly. In brilliant displays of pyrotechnics, with erotic fancies, carefully put together, the book is a profound commentary on social backgrounds. These essentially postulate a prophetic survey into the chaos of finance-capitalism by a ridicule of those who enjoy its first fruits. The novel, despite its wealth of allusions, remains true to its course however, which is to character the woman Isabel, "the thinking reed" of Pascal's quotation which prefaces the work.

Of the *ci-devant* Mr. Tolstoi, a great deal may be begged. Unfortunately, being a communist in good standing, and living in the shadow of the Cathedral of St. Isaac's in Leningrad, and having attended divine services when the cathedral was in Petersburg; having performed ablutions during the transitionary period when it

was in Petrograd, and been booned the Marxian salvation after its removal to Leningrad, Comrade Tolstoi could not be expected to lay about him with the cheery insouciance of Mr. Ford or the ebullient acidity of Miss West. That, I fear, would un-butter many of the Comrade's parsnips. And so his fine words — they are excellent within these limitations — must be husbanded exclusively against foes of the Russian Reich. Nevertheless, he too turns his back on the past with a will. . . . God knows how far the Tolstoian talent would reach if it could be exercised, not under the eye of the Muzhik Stalin, but beneath the glittering standard of the late unfortunate ninny, His Imperial Majesty, Czar Nicholas II.

Novelists in their best qualities are governed by a law somewhat analogous to Boyle's in chemistry: the rate of diffusion of a novelist's ideas varies in inverse proportion to the square root of the dictator's density. It is not within purview here to take up the question of the care and feeding of novelists either under autocracies or within democracies; though it is worthwhile in passing to suggest that, as in the quantum theory, in order to understand where a novelist is standing, it must be possible to calculate where the country is going. Thus in Comrade Tolstoi's country, though one may never know the true feelings of a novelist in relationship to his novel, one can see, from a glance at *Pravda* or *Izvestia*, just where the country is headed.

This is not possible, say, in Mr. Sinclair Lewis' country. Readers of *It Can't Happen Here* must get all their thought about the country from the book: it would be impossible, by searching the government's handouts in the *Herald Tribune* or the *Times*, to determine whether it can't be happening here. . . . It must be admitted

that this digression could lead us into a conjecture more fascinating than any found in the present novels under examination: Resolved, that it is better to have a country devoted to a continuity of action than to have a novelist able truthfully to set down his artistic misgivings. The basic premise from which such a debate must spring can be accepted. I take it you can't have both.

We have come to our Tovarisch with one miss and one hit: the Russian has the moral earnestness which Don Marquis bemoaned the lack of, and he has the true Slavic powers of a creative prodigality, superior to those of Miss West. His story suffers mainly from his lack of devices to keep his lovers apart, though whether the hemming and hawing of 500 pages between man and woman is done to impress the bureaucrats with a proper disdain for bourgeois sentimentality, I cannot say. Suffice to suggest that the author's late cousin, old Leo Tolstoi, would have burned several red flares on the Mount of Venus long before undertaking the sociological smugness which splits almost every Russian novel, both Nicholevian and Stalinesque. The present Tolstoi is at his best with remembering the old scene, and when he is working among material now the immortal property of Turgenev.

The conscious proletarian novelists, such as Mme. Voinova, or the more calculatedly proletarian — Ilya Ehrenbourg and Boris Pilnyak — are far more at home in the post-revolutionary measures of *Darkness and Dawn*. The new Tolstoi, however, has the drop on any other living Russian novelist; for he has seen both sides of the shield and has, with great fidelity, the grace to write well of both. Thus the work is unique, not so much because of its author's qualities (which embody a good deal of excellence) but because of his luck

in surviving the transition when even the great Tolstoi's works were not safe things to have around his house. The difficulties which must have beset the author of *Darkness and Dawn* could not have been inconsiderable.

This is not to suggest that bureaucracy could have troubled him (oh, no!); but a man with that name, in a country that boasts 600,000 police agents, is not exactly immured in a health resort for the creation of fiction which, from its very pattern, could be expected to run a long course of rapids before achieving the bourgeois serenity of the present Russian State. I should say that, for readers who have not been at pains to follow Soviet fiction, *Darkness and Dawn* would be an excellent way to undertake a first survey of the field.

It would be interesting to hear, in Moscow, a young communist dissect *Darkness and Dawn*. Each novelist there seems to deny, with ulterior alacrity, his former works. Thus Voinova's *Semi-Precious Stones*, which is, at any rate, a magnificent *tour-de-force*, is cast down. Ehrenbourg himself has moaned to me that his *The Life and Perishing of Nicholas Kourboff* is a bad, unsound book; though to a lay reader with ingrained skepticism as to man's various faiths, it seems to pace the Revolution with exact febrility, a work hot with those quick reactions to human futility that give the novel, as a form, much of its tragic vividness. Pilnyak, who seems to me the slyest of Russians, and the most gifted, can shrug over *The Volga Flows to the Caspian Sea*.

Perhaps this is a symbol of growth, and a faculty to be regarded by the communists as one of artistic humility. I would prefer, however, the Stendhalian attitude of the man who, having done his book on the Napoleonic revolution, can serenely

sit back and wait a century for his readers, when remoteness from the scene brings a judgment not to be obtained under fire.



What the Reviewers Missed

BY STEPHEN LEACOCK

EVERY author knows what wretched fellows the book reviewers are, with their patronizing air of knowing everything, their terrific assumption of scholarship, their pretense that they understand and use all foreign languages, their way of reviewing a book by talking about something else altogether different, their perpetual moan that the author's powers are diminishing and that his latest book shows a sad falling off which looks suspiciously like paresis, and, most of all, their latest trick of reviewing a book not under its own title but under a fool heading made up by themselves with the real one printed at the foot of the page. We know them, don't we, boys?

So, just to get back at the reviewers, here are some samples of the way in which they would have got to work on a few of the world's great books of the past.

SOCIETY IN ITS SIMPLEST TERMS*:
French Writer Analyzes the Giddy Throng.

Mr. Rousseau writes extremely well. His *livre* lacks something of the quality of the other *livres* which he wrote before, but that is only to be *expecté*. Instead, as one says in French, *tout change*, or as the witty Abbé Fenelon cleverly expressed it, *Toutes les choses ont une fin*, a phrase impossible to translate, as everything is in witty French. Mr. Rousseau in his *Contrat Social* conducts us at once into a *milieu sauvage*. He finds

* *Le Contrat Social*, by J. J. Rousseau. Paris, \$1.40.

the basis of this — the *base* so to speak — to be the principle of liberty (*principe de la liberté*) freely accepted among men (*hommes*). To this first principle he adds that of *égalité* (or, roughly speaking, equality) and then very ingeniously connects the two of them with *fraternité*. By putting the three together he reaches the combined idea (*idée*) of *liberté, égalité, fraternité*. After that such secondary ideas as *paternité, maternité, qualité, jollité*, etc., etc., follow of themselves.

Our only doubt, the only question which we raise, is whether Mr. Rousseau was acquainted with the Declaration of Independence. He makes no mention of it. But if he had stopped to peruse even the opening preamble he would have seen his own ideas reflected — shall I be wicked enough to say anticipated? — in an almost incredible fashion. These “fortuitous coincidences”, however, do not prevent Mr. Rousseau’s *livre* from having a great interest and a considerable *mérite*. If not exactly what one might call *une livre de poche*, or *un volume de pantalon*, it can at least be classed as an *essai de pyjamas* — a thing we won’t even try to put into English.

RAISING HELL*: Pen Pictures of Battles in the Sky.

If Mr. Milton had seen David Wark Griffith’s *The Birth of a Nation* or Noel Coward’s *Cavalcade*, he would have had a better idea of handling the wide canvas which he so ambitiously attempts to fill. As a writer of pleasant little chats on the liberty of the press, the right of divorce, and other lighter topics of the hour, Mr. Milton has shown himself not without a pleasant fancy and a happy gift of expression — what Horace has called a *curiosa felicitas*. But this large picture is beyond his power. Quite frankly his paradise lacks interest, lacks those peculiar elements without which, to

us, even paradise would not be Paradise. The attempt to produce a scene of that sort without an adequate singing and dancing chorus is always doomed to failure. Even admitting the charm of the conversations in Paradise, as reported by Mr. Milton, in regard to fixed fate, free will, and foreknowledge absolute, we venture to think that either Dewey, or Royce, or Rolls presents a far better discussion of the points involved. The character of the Snake provides an excellent touch of incidental wit badly needed in a dull volume.

There are the usual number of unfortunate misprints, such as *God* for *Gawd*, *Adam* for *Adams*, etc., etc.

AN OLD CAMPAIGNER’S LOG*: A New Volume of Memoirs on Savage Life in the British Isles.

Readers who were fascinated with the high adventure and rollicking fun of General Julius Caesar’s first work, *Bellum Gallicum*, will rise from perusal of this second book of memoirs with a feeling of disappointment — if they can rise at all. We ourselves are free to confess that we were not only disappointed but practically disgusted — a state into which we easily get over an author’s second volume. We said to ourselves: “The touch is no longer the same — *il tocco non è più il mismo*.”

For the most part the pages are dullness itself with none of the power of simple and vivid presentation for which we looked in vain. (We can always find something to look in vain for, if we look hard enough.) The truth is that General Caesar is not equipped for the discussion of savage life. He would have done well to prepare himself for his task by making the acquaintance of such books as Catlin’s *North American Indians*, or Morton’s *Walks in Wales*. Even at that, there is much to which the archaeol-

* *Paradise Lost*, by John Milton. London, \$1.00.

* *Bellum Britannicum*, by Julius Caesar. Rome, \$1.50.

ogist will take exception at every step. In reading the highly unsatisfactory account of the Druids, we felt ourselves compelled to wonder whether General Caesar had ever read Confucius: if so, he would know that what he took for *woad* is *wood alcohol*.

Nor can we endorse the rather cramped and unvaried style used by the General. His use of the ablative absolute, amusing at first, grows wearisome. Again and again he uses the pluperfect conditional passive when the more correct thing to use — the only fair thing to use — would be the gerund, or, at best, the supine. The General, as a writer, is sadly lacking in variety of expression. He calls the soldiers on each occasion *milites* instead of varying the term by calling them *combattants*, or *nostri pueri*, or the *boys in blue*. It's a pity that General Caesar never had a training in journalism. Indeed it is a pity he ever wrote at all. We might almost say it is a pity he was ever born. Apart from that we welcome him to the ranks of Roman literature.

The book is disfigured by a number of distressing misprints, such as *Londinium* for *London*, *vallum* for *valley*, and *usque* for *whisky*.

NEW TEXT ON STATE GOVERNMENT*: Our Politicians as Seen by a College Professor.

Professor Machiavelli has previously earned a very considerable reputation as the author of the learned *Discorsi*, which reputation we fear will not be enhanced by the present volume. *Discorsi* — which we prefer to call *Discorsi* and not *Discourses* because we know Italian — bore the distinct mark of a *maestro*, and even if only on the surface, reflected something of the *chiaroscuro* of the glory of the *cinquecentisti*. The present volume, we fear, will meet none of the success of its predecessor. Its very name,

* *The Prince*, by Niccolò di Bernardo Machiavelli. Florence, \$1.98.

The Prince, is misleading, so much so that even we ourselves don't get it. But the worst fault of the book is its obvious lack of moral enthusiasm which unfits it for any general use in colleges. Professor Machiavelli is an Italian, and that, for us, will account for any quantity of personal depravity. But he is much mistaken if he thinks that the wives and mothers of this country will tolerate a work of this sort in the *curricula* of our *collegia*, or even in the *arcana* of our *cenacula*.

We have no wish to excite race prejudice. Professor Machiavelli may be a skunk or he may not, we are not raising the question. We are leaving it where it is. But we cannot help but wonder whether Professor Machiavelli ever read Smile's *Self Help*, or Louisa Alcott's *Little Women*, or Mrs. Slop-over's *Ministering Children*? We feel that had he done so he would have been a different man, in fact less Italian. There are numerous misprints in the book. Among other errors is the spelling of the author's name with one *c*: we spell it with two.

NEW LIGHT ON WATERLOO*: French Novelist Retells Story of Battle.

Mr. Hugo — we pronounce his name *Uggo*, with a very short double *g*, difficult for our readers to say — in his new volume of fiction offers an ambitious attempt to reconstruct the Battle of Waterloo. Of the story itself, *Les Misérables*, we need say little except that it held our attention — a difficult thing to do. Mr. Hugo — whose earlier works showed undoubted genius — unfortunately betrays that flagging power which at once attends literary success. Quite frankly he is not what he was. Nor do we think he ever will be. But we especially wish that he had left Napoleon alone. We ourselves understand Napoleon, but we doubt if anyone else does. The unceasing stream of books and memoirs in regard to

* *Les Misérables*, by Victor Hugo. Paris, \$2.25.

the First Empire bears evidence to the sustained public interest in the career of the Great Corsican. It is no exaggeration to say that his footsteps have literally been followed from Ajaccio to Portoferraio and his personal contacts from the days of Paoli to those of Pozzo di Borgo (no one gets this but ourselves). Yet we could wish that writers would desist from any further attempts at an analysis of Napoleon's motives. We know them, of course, but no one else does. We fathom exactly this attitude at the Congress of Rastatt and we get his ideas at the Conference of Chantillon, but who else ever heard of those places? Mr. Hugo's presentation of Napoleon as a wearied Titan is one which we cannot accept. Not that we don't know what a Titan means. It isn't that. We do. But we claim that he was not wearied: *tired* if one will, *fatigued* if we must, *exhausted* if one has to — but not wearied. Very probably Mr. Hugo wouldn't get the difference.

The author is on more solid ground in his presentation of the Battle of Waterloo. His graphic picture of the *terrain* as represented by a capital letter A is one which we accept at once. It is vivid, brilliant, and quite within Mr. Hugo's scope. But the letter A is about as far as he gets. The tactics of the battle — and when we say *tactics* we mean *tactics*, not mixing it with *strategy* as our readers do — are not grasped by Mr. Hugo. He does not realize that Napoleon's fatal error (we saw it at once) was in not throwing back his left so far that it would smack against his right and then basing himself obstinately with his rear well elevated towards the Prussians.

Mr. Hugo's French we find clear, accurate, and free from grammatical error. Without calling him a *savant* we feel that he is quite *au courant* with the use of past subjunctives and other difficulties which bother even us.

THE NATURE MAN SPEAKS*: Open Air Book for Thoughtful Minds.

Sir Isaac's work appears most opportunely just at the opening of the gardening season, when nothing is so agreeable as to pass the idle hours in the pauses of one's work, with the open-air perusal of a volume suited to the time and place. These principles of natural philosophy are admirable pabulum for the nature lover: which reminds us that we saw a pair of orioles at the foot of our garden yesterday, the first of the brilliant little fellows to make their summer appearance. We tiptoed down our garden path in the hope of a nearer view, but the little love-pair caught sight of us, and at the very first sight they uttered a loud and apprehensive "Tweet, tweet": and were off again at full speed for the South. Sir Isaac would have loved an oriole as much as we do.

We were all the more sorry to lose them insomuch as yesterday witnessed our first gathering of a mess of garden peas, an event nearly always simultaneous with the orioles taking up their sojourn with us. We hope, however, it will not be a case of *adieu*, but that they will come back. The green peas we grow are the Tarantula, the large firm bulbous pea with the huge pod, such as Sir Isaac would have liked. We plant them early in the snow, just as we think Sir Isaac did. So at least we gather from the illustrations and diagrams in his natural philosophy, which we understand to be plans of a garden — if they are not, we don't know what they are.

Sir Isaac's book unfortunately contains a number of typographical errors. Thus we find repeatedly *hoc*, an evident misprint for *hock*; *hic*, instead of the usual *hick*; *sol* evidently intended for *solus*, the sun; and *octo*, for *right*, *oh*!

* *Philosophiae Naturalis Principia Mathematica*, by Sir Isaac Newton. London, \$3.00.

Four Americans

BY EDGAR LEE MASTERS

JAMES EDWARD OGLETHORPE: IMPERIAL IDEALIST, by Amos Aschbach Ettinger. \$6.50. *Oxford at the Clarendon Press.*

ROGER B. TANEY, by Charles W. Smith, Jr. \$3.00. *University of North Carolina.*

ABRAM S. HEWITT, by Allan Nevins. \$4.00. *Harper's.*

DWIGHT MORROW, by Harold Nicolson. \$3.75. *Harcourt, Brace.*

OGLETHORPE lived a long life, dying at eighty-eight years of age. He was born in London in 1696. The eighteenth century, according to George Macaulay Trevelyan, was one of the individual. It was also the age of imperial expansion, and of the settlement of America. Oglethorpe lived to see the colonies become states, and go to war with England and emerge as a Union under the Articles of Confederation.

At the age of twenty-six he became a member of Parliament from Haslemere, and at once took up the cause of prison reform. An architect named Robert Castell was imprisoned for debt, and after horrible treatment, according to the practice of grafting jailers of the time, died of smallpox. This was the spur to Oglethorpe's humanitarian activities. It resulted in the founding of Georgia in 1732 as a place where those who had endured prison and poverty in England might obtain a new start in life. It resulted also in the shipping to America of a class of people whose strains of blood still color our inheritance and affect our politics and our culture. Oglethorpe obtained a royal charter conveying to himself and a group of interested persons the land between the Savannah and the Altamaha Rivers. His idea was to plant a barrier on the South-

ern frontier, which would serve the double purpose of protecting Carolina against Spanish and Indian attacks, and of offering a place of refuge to disinherited men. The charter preserved religious liberty to all but Catholics. When it lapsed, Georgia became a crown dependency. Oglethorpe

founded Georgia, giving it laws and trade,
He saw it flourish and he saw it fade.

He prosecuted philanthropy in the spirit of a Paladin. At the end of his career in London he followed with a distinguished company, arguing with Samuel Johnson, debating the American Revolution with Burke, and looking with pity upon the moral lapses of Boswell. He gave praise to Garrick and Reynolds. When he died in June of 1785, Mrs. Montagu wrote to a friend: "I was very sorry to part with my old love, the General." So flitted in and out of this scene the man chiefly remembered for founding Georgia. His day seems far off now, and so far as he himself is concerned of little interest — insect interest, so to speak.

Nearer home, and far more interesting in these days when the Supreme Court is being attacked, is the life of Roger B. Taney by Charles W. Smith, Jr., of Rutgers University. Taney belongs to that class of men in history who have been written down, whom a new age of economics and laws has overcome. It is well to recall that Chief Justice Taney was a very great lawyer, and a devoted lover of his country. The Dred Scott decision, which he rendered, accomplished the eclipse of his fame and his standing. But that was the result of ignorance. The decision in its essential philosophy was right, and if the Supreme Court had followed it America would never have embarked upon the foolish business of colonialism.

The poems of Kipling and the antics of Theodore Roosevelt would not have set the country adrift after the fashion of Athens under the leadership of Alcibiades.

Taney, born the year following the Declaration of Independence, was educated at Dickinson College, Carlisle, Pennsylvania. He became a lawyer during the days of the great Luther Martin, and moved to Baltimore in 1823 at forty-six years of age. Starting in life as a Federalist he joined the Jackson Democracy when he moved to Baltimore from Frederick. At the same time that the quarrel over Peggy Eaton disrupted the cabinet of Jackson, Taney was appointed Attorney General. The Senate rejected his appointment as Secretary of the Treasury. But later that hostility to him abated. In 1836 he became Chief Justice, and served until 1864. During this long career he wrote 300 opinions. He did much to confirm the police power of the states. He held that the states had the absolute power to legislate as they chose, so long as that legislation did not directly interfere with the constitutional exercise of power by the federal government acting under the Constitution. In one case (*Ableman v. Booth* 21, *Howard* 516) he said: "This tribunal was therefore erected and the powers of which we have spoken conferred upon it, not by the federal government, but by the people of the states, who formed and adopted that government. . . . So long, therefore, as this Constitution shall endure, this tribunal must exist with it." He followed Marshall in the doctrine that the court could invalidate laws of states and of Congress. But the Dred Scott case was the only one in which he held an act of Congress to be unconstitutional. Philosophically he grounded himself upon Rousseau in his conception of the State.

He was eighty years old when the rumblings of the War Between the States

shook the land. It was then that the Dred Scott case came before him. Thirty years before this he had manumitted all his slaves. He hated slavery, and was as clear in his opposition to it as Jefferson. Yet the Dred Scott case, as calumny has reported it, wrote him down as a tool of the slavocracy. He tried to compose the country by a decision that would settle the status of the Negro and bring peace to the land. Such was his purpose. That he failed to do this is nothing against his judgment or his integrity. The one was most sound, fortified by great learning. The other was most pure.

The Dred Scott decision is a masterpiece of judicial style. Its basic propositions are irrefragable. They have never been refuted and they never can be. Taney stated the nature of the government, the nature of the colonies and the states before the Constitution was adopted. The essential proposition that he advanced was that the Constitution was over every inch of American soil, that there could not be any dependencies or colonies under the American system as to which Congress could legislate arbitrarily. Therefore, slavery could not be excluded from American territory, since the Constitution provided for slavery, for the return of fugitive slaves, and the like. This decision was fiercely attacked by Seward in the East, and by Lincoln and others in the West on the hustings. All this in a fashion so indecent that Taney declared that if Seward was elected to the presidency he would not administer the oath of office to him. He was not called upon to do so. He did administer it to Lincoln. Then the War came and Taney held in *Re Merryman* that Lincoln as President could not by his own fiat suspend the writ of *habeas corpus*. Lincoln rode over this decision. He imitated Jackson, who said: "John Marshall

has rendered his decision, now let him execute it."

Mr. Smith's book should have many readers, in order that Americans may know the history of their country, and the career of one of its best and ablest men. A fuller book than this one would go more critically into Taney's decisions — but the main points are here.

Allan Nevins is a competent hand for the biography of a former Mayor of New York, Abram S. Hewitt. Hewitt was born at Haverstraw in 1822 and lived until 1903. This book tells of the lives of Peter Cooper and Hewitt too. The two men were associated in business, education, and public affairs from 1845, when Hewitt took charge of Cooper's iron mills at Trenton. Hewitt came up out of the war days to be a friend of Cleveland, and then a critic of Cleveland on the tariff question. In 1887, Hewitt was nominated by a Croker lieutenant for mayor of New York, and ran against Henry George and Theodore Roosevelt. Hewitt polled 90,552 votes, George 68,110, and Roosevelt 60,435. It was a vile campaign of mudslinging and vilification. Today George stands better in history than the other two. As Mayor, Hewitt wrought through the beginning of electricity, subways, and parks. The Bryan days came on and Hewitt contributed large sums to McKinley's campaign. He was for honest money (*sic*) — the gold standard. When the great strike came in the anthracite regions, and Theodore Roosevelt brought about an arbitration, Hewitt sided with the mine owners. At the last he was called the foremost citizen of New York by Elihu Root. Stanford White was then living — and many artists and writers of note. "Where may the weary eye repose in gazing on the great?" Especially if Hewitt be put among them. By that token the great would be countless.

The biography of Dwight Morrow by Harold Nicolson points equally well to the usefulness of such books. They are simply apothecary jars in which the muse of history has bottled all that was of the essence and importance of such characters. In life, Dwight Morrow enjoyed a very prosperous reputation. He appealed to the American conception of a good citizen and a successful man of affairs. Had he lived he might have risen closer to the eyes of Clio. As it is, he is bottled as an Amherst graduate, an intelligent law student, a practitioner for corporations in New York, and a member later of the Morgan banking house. Naturally he was a sound-money man, and as such became very well off himself.

Then came the time when he was called to a diplomatic mission in Mexico. He had been a friend of President Coolidge, and President Hoover took Morrow over. His experience as a lawyer and as a financier, and his intelligence in general, made him a natural choice for work requiring understanding of finance. But his was not a wholly diplomatic talent. When the Mexican Congress opened in September of 1928, Calles announced that he would not accept a re-election. Morrow leaned forward in the diplomatic box and applauded. On taking his seat he confided to the British Minister that he should not have done this; and the British Minister answered "You ought not." Walter Lippmann wrote of Morrow that he was a man of the first magnitude; but at this time that judgment looks journalistic. Mr. Nicolson says that Morrow's achievement in Mexico was not either comprehensive, durable, or complete.

He was, however, now on the path of other public service and could not escape the call. He took part in the Naval Conference in 1930 and drafted the London

Naval Treaty which was ratified by the United States in July of 1931. But he was growing tired, and showed symptoms of collapse. He returned to his home in New Jersey from England, an exhausted man. Mrs. Morrow made many entries in her diary of her husband's great fatigue. He did not stand up to the strain as Oglethorpe did more than a hundred years before: but then the world had moved into a career of vaster complexity. It had come to the life of the megalopolis, and to the nerve-wracking duties of Big Business.

In the fall of 1930 he was elected to the Senate by a majority vote of 200,000; and there was general good feeling about it. The great popularity of his son-in-law, Col. Lindbergh, swelled the acclaim that came to him. He was on the eve of a career as a statesman, due by the terms of his election to serve until March, 1937. He was now rich, famous, powerful, and the head of an adoring family; and he was only 58. But he was worn out. Sleep fled him. His days were taken up with exhausting interviews and problems and consultations, things that crack the brain. He died of a cerebral hemorrhage on October 5, 1931.



Portrait of an Archbishop

BY ARTHUR MACHEN

RANDALL DAVIDSON, ARCHBISHOP OF CANTERBURY, by G. K. A. Bell, Bishop of Chichester. Two vols. \$12.00. Oxford University Press.

THE Life of an Archbishop written by a Bishop is necessarily, and rightly, a grave matter. Let us begin then with one or two examples of the book's lighter moments — so that we may begin cheerfully. Our first instance does not concern

Dr. Davidson directly, save in so much as it gives his views on the question of graves and memorials for the illustrious in Westminster Abbey. The Archbishop considered that in the case of a formal request from the State, the Dean should always comply, leaving the government the responsibility for the deed. This, where statesmen were concerned; but otherwise, Dr. Davidson held that the final decision should rest with the Dean.

Dean Robinson, it is interesting to note, had himself decided against burying George Meredith in the Abbey. A leading article appeared in the *Times* urging it strongly, but the Dean was steadfast in his refusal, in spite of that and much other pressure. His view was that George Meredith was not in the highest rank of men of letters and in a few years' time would have ceased to be a conspicuous literary figure. He also had to settle the question of commemorating Herbert Spencer. A group of admirers asked the Dean to allow a bust of Spencer to be erected in the Abbey. Dean Robinson took counsel; but of those whom he consulted, the philosophers said that Spencer was no philosopher though he might be a scientist, while the scientists said he was no scientist though he might be a philosopher. The Dean accordingly refused; and was glad to receive a word of commendation for his refusal from Lord Kelvin, who said to him one day at a party at Buckingham Palace, "I am glad you did not put that fellow Spencer in the Abbey!"

And there can be no doubt that the passage of the years has confirmed the Dean's judgment.

Better still is the tale of the Archbishop and the emissary of Mr. De Valera. By the time of the Irish troubles, Dr. Davidson had become widely recognized as the Universal Smoother — of this, more presently. So Mr. Barry Egan, Deputy Mayor of Cork, and ambassador of De Valera, coming over to London to see the new Irish Viceroy and finding him ill in bed, felt

that he must see somebody before returning, and at once thought of the Archbishop of Canterbury. Mr. Egan was introduced by a Roman Catholic priest, Monsignor Brown, an acquaintance of Dr. Davidson's; and some very promising exchanges took place. Then, says Monsignor Brown:

The Archbishop . . . asked Mr. Egan what Irishmen thought of the British troops. The Deputy-Mayor replied that their "Boys", as he put it, liked the regulars of the British Army well enough and regarded them as pleasant and somewhat harmless fellows. "But," he went on, "the men they admire are the Black and Tans." This came as a profound surprise to the Archbishop, who exclaimed, "Oh, really! Why so?" in that pleasant, melodious voice of his. A short and swift reply completely disconcerted him. It was this: "Because they are such devils to fight." The Archbishop cast a glance at me, as much as to say, what can you make of such people?

I do not know whether Dr. Davidson gave Mr. Egan's remark his serious consideration. It deserved it. The conference took place in 1921, three years after the end of the war. Everybody was agreed that war and battle were hideous infamies, never to be tolerated again. Many were of opinion that all wars were bestial and inhuman conspiracies of kings, emperors, capitalists, and armament makers, who plotted the butchery of harmless millions, that they, the lords of the earth, might grow rich. Yet, here was a nation that delighted in battle and loved nothing better than an enemy without fear and without remorse. The Archbishop may have asked himself—and we may ask ourselves—whether this state of mind is peculiar to Southern Ireland, or no.

It has been remarked that Archbishop Davidson was recognized as the Universal Smoother. He reminded me of the man in

the Latin Grammar who says *Fungar vice cotis*—I will perform the function of a whetstone. The Archbishop might have said: I will perform the function of a flat-iron. He found the stuff of Church and State a mass of wrinkles and ridges. Some of these irregularities and rugosities were ugly enough, with dangers of ravelling and ripping; and early in his career Dr. Davidson determined to do his best by gentle pressure to get the stuff before him into smooth and enduring shape. And it must be said that in many cases he succeeded.

He operated in the highest quarters. Queen Victoria contemplated with some eagerness the publication of more leaves from her Highland diaries. Davidson was then Dean of Windsor, the trusted counsellor of the sovereign. He thought, and with reason, that the proposed publication would do the Queen's fame and report no good. Now, as is well-understood by this time, Queen Victoria was a tremendous woman, in a sense, a terrible woman; but the Dean found the courage and the tact to advise a strange negative; and the Queen, after a brief interval of silent wrath, had the sense to see that he was right. Many people held Davidson to be a mere court toady, but the case cited shows that they were wrong.

And then, a long list of mollifications and suavities brought skilfully to bear, of rough places made smooth. The Archbishop did his best with the Suffragettes, but as he continued to confuse mere militancy—burning churches and so forth—with villainy and crime, he could not effect much in that quarter. But, somehow or other, he kept Bishop Gore, the Catholic, and Sir William Vernon Harcourt, the Protestant, within the bounds of the Church. And when Gore talked of resigning his bishopric if Hensley Henson were

made a bishop, Davidson repeated his feat, and the snarled stuff was smoothed. He pointed out to people who were firmly convinced of the identity of the Jewish Sabbath and the Christian Sunday that in wartime the labor of growing food was a work of necessity, and might lawfully be done on Sunday. He wiped away the flecks of foam from the lips of those who saw the whole world in ruins if the opium traffic were not abolished immediately. On more than one occasion he ventured to ask people who were quite sure that there must be without delay an Agitation, a Meeting, or a Deputation, whether they were certain that they knew what they wanted: and, after a quiet talk at Lambeth, these earnest souls generally found that they did not know what they wanted; or even, when the case was put plainly before them, that they didn't at all want what they thought they had wanted. The Deluge might be inevitable; but it should not come in Archbishop Davidson's time — if he could help it.

He was charged, of course, with being too much absorbed in secular things and in affairs of State. But it should be remembered that the Archbishop of Canterbury is, *ex officio*, bound to concern himself with State affairs, since, after the Royal Family, he is the first personage in the Kingdom. And, further, Dr. Davidson might have quoted high precedents for the concern of eminent ecclesiastics in secular affairs: Wolsey, Richelieu, Mazarin, were certainly more interested in the service of kings than in the service of God. Davidson, again, has been accused of wire-pulling and intriguing. On doubtful evidence, I think; perhaps on no real evidence at all. But, in any case, his intrigues, supposing their existence proved, are but the sports of a little child at play compared with the master machinations of Archbishop Man-

ning, as disclosed on unquestionable and unquestioned evidence in Purcell's biography of that tremendous Cardinal.

But, apart from these accusations, the real complaint against Davidson, felt rather than expressed in precise words, was based on a singular misapprehension. This feeling of the Anglo-Catholics, if translated into exact terms, would have run something as follows: Why are you not behaving like a Bishop in the undivided Church of the year 1000 A.D., before the schism of the East and West? There could be no doubt that in many instances Archbishop Davidson's actions and pronouncements failed lamentably to satisfy that 1000 A.D. standard. What did he mean by it? Thus, the Anglo-Catholics questioned and complained. They did so because they were men in a dream. They had dreamt that the Reformation had not happened. Rather, perhaps, that there had been some ugly doings in the sixteenth century; say, that burglars had broken in to the old house, stolen plate and jewelry, smashed a good many pictures, and torn valuable tapestry: that was all. After that, there was a time when the Squires had been very indifferent, and often non-resident, and didn't trouble to repair the mischief. Still, there was the old house, just as it had always been; and now we were doing our best to put it in order again.

The Anglo-Catholics would not rouse themselves from this dream and acknowledge the truth: that the post-Reformation Church of England is a compromise between Catholicism and Protestantism; and furthermore that, with a few exceptions at different periods, authority has leaned, sometimes lightly, sometimes heavily, on the Protestant side of the balance. The judicious Hooker expresses, very fairly, the average sense of the English Church. He is defending the *Ecclesia Anglicana*

against some indictment of the Puritan Nonconformists, and he says, in effect: Surely, in a few matters, we may disagree with our friends and agree with our enemies. Our enemies are the Roman Catholics, our friends are the Puritans — those men, who, in a few years, are to murder our King and defile our altars. That was Hooker's sense of the Church of England in his day; it is, very largely, the sense of many who call themselves Churchmen in our day. Such was the Church over which Dr. Davidson was called to preside as chief pastor: whatever it was, it was clearly, even violently, different from the undivided Church of the East and West, on or about the year 1000 A.D.

In the latter days of his Archiepiscopate, Davidson honestly wondered how there could be men, and good men, who were interested in the revision of the Canon of the Eucharist, while matters of real importance, the Coal Strike and the General Strike, threatened the peace of the country. As though one should say: Is it possible that people are busying themselves with Einstein and Time-Space — or with the sonnets of Shakespeare — while children are crying for bread?

Clearly, Davidson was not, and could not be, the Archbishop of the Anglo-Catholic desires and demands.



The New Poetry

BY LOUIS UNTERMAYER

WHEN young Paul Engle's *American Song* appeared about two years ago, a reputation was immediately, if unfortunately, established. Even the *New York Times* went off the critical reservation and

devoted the front page of its Book Section to the recent graduate from the University of Iowa in terms that indicated that he was not merely a star of the first magnitude, but an entire constellation. After the inevitable reaction, readers rubbed their eyes and wondered what all the shouting had been about. Mr. Engle went to Oxford, specialized in philosophy, politics, and economics, and wrote another book.

American Song was full of the glory of America's manifest destiny; it was also full of inflated figures, loudspeaker generalities, and rhetoric compelled by little more than its own vehemence. The new *Break the Heart's Anger* (Doubleday, Doran, \$2.00) is, politically at least, a complete about-face. The America vigorously celebrated before Mr. Engle left for Oxford with vacations on the Continent is now violently reviled. So, for good measure, is every country except Russia. England is the "doomed desert, Elisha land, waiting for the ravens that will never come"; Germany is the "hooked cross whereon you have crucified not the condemned Christ but a despairing nation"; Austria sees the Danube "with its biting blade stab the great body till it could not cry"; France, through Notre Dame, is "only an old tongue speaking without head"; America is a "bastard child" that has betrayed its people, a "desert nation jackaled with its dreams"; the Statue of Liberty is "you skirt!"; Lincoln is compared to Lenin, Washington is linked with Trotsky. Colloquialisms attempt to emphasize Mr. Engle's conversion:

... Life says, Step on it, kid,
Or yesterday will be kicking you in the pants.

But, though the indignations may be counted in his favor, the resulting verse cannot. The attitude assumed in the two

books may be different; the tone is the same. With its facile periods, mixed metaphors, and loose gestures it is that of a gifted high-school boy—a muddled but self-assured valedictorian delivering his oration in a new suit of clothes and at the top of his voice.

To read Rachel Field's *Fear Is the Thorn* (Macmillan, \$1.35) after *Break the Heart's Anger* is to drop from one American extreme to another, from shrillness to confident unpretentiousness, from a composite of a dozen fashionable experiments to a repetition of familiar pattern-making. Miss Field knows her routines a little too well; the long "Ballad of the Seal Woman" follows the dictates of the subject in proper style, but it is utterly without the compulsion or "magic" which alone can make the eerie ballad convincing or even plausible. Miss Field's lyrics are more characteristic, although these, too, tend to fall into stereotyped whimsicalities, little gasps of well-planned surprise, pleasant metaphors of love, beauty, death, and time. The best verses are those depicting the minutiae of earth-scents and country sounds—the "throbbing guttural of frogs", the sudden "vehement green", "harebells swung to salty air", "lovely, multitudinous rain", thornberries like "burning hail"—the dependable, unsophisticated material of easy-running verse.

Julia Cooley Altrocchi's *Snow Covered Wagons* (Macmillan, \$2.50) tells with detail and vigor the tale of the Western movement as epitomized in one adventure: the story of the Donner Party which, gathering itself along the trek from the Middle West in 1846, went overland, took an ill-advised short-cut, was trapped, starved, and all but exterminated before some forty of the original eighty-seven reached California. The most powerful as well as the most poetic section of Mrs.

Altrocchi's narrative is "The Forlorn Hope," in which the horrors of cannibalism are graphically dramatized. The interpolated lyrics are scarcely more than perfunctory reliefs. Except for the moments when the verse rises in pitch, Mrs. Altrocchi's use of changing tempo is no improvement on George R. Stewart's method in *Ordeal by Hunger*, which tells the same story in straightforward prose.

Jewell Miller's *Polonaise Militaire* (Putnam, \$2.00) has a jacket of lavender and silver, a cover of royal purple, and a title-page which announces the book as "The Life and Work of Frédéric Chopin: A Dramatic Poem in Three Parts." It is an ever-so-elegant affair. Part Two ends with Chopin ("deeply moved") replying to George Sand in these words:

This home for me is a friendly garden.
Could I presume to usurp, as warden,
The position due to you and the children?
If I have done so I ask your pardon.

Boris Todrin's *The Room by the River* (Black Cat Press, \$2.50) carries praise and predictions by Mark Van Doren, William Rose Benét, the late E. A. Robinson, and others. The predictions are interesting and reasonable; the praise is premature. The author has by no means found himself; he tries both ends of the poetic gamut; his sonnets owe much to Robinson's, his semi-ballads and jogtrot lyrics derive from Alfred Noyes. Meanwhile there is evidenced a talent for supple rhyming, an imagination pointed by the unusual, and an indubitable way with words. Young Mr. Todrin is, in the conventional phrase, well worth watching.

The new South will scarcely pride itself upon Edd Winfield Parks' *Southern Poets* (American Book Company, \$1.00) which is overweighted by the dated fusion of Thomas Holley Chivers and Henry Timrod and the thin prettiness of

Hayne, Pinkney, Wilde, Tabb, *et al.* The last sixty pages, chiefly devoted to John Gould Fletcher and the Fugitives (Ransom, Davidson, Tate, Moore, and Warren), are in startling contrast to the preceding two hundred and fifty. They show a search for fresh matter, original techniques, and a new intellectual approach where the rest of the volume merely repeats the worst of traditions dead even at the time; they reveal an alert "difference" instead of (with the exception of Poe) a parade of scholasticism, sentimentality, and dullness. Mr. Parks' lengthy introduction is painstaking, somewhat pedantic, and—truth as well as alliteration prompts it—partisan.

Elliott Coleman has traveled. According to the publisher's blurb, "He has seen the historic places of Christianity and the ruins of the Ancient World. He stayed in the town where Thomas Hardy lived and knows Grantchester. He has seen the beauties of Cambridge by moonlight. . . . He is a sensitive and cultured man, and his book is full of reverence for poets, for beauty, and for the sacredness of life and earth." That seems to cover everything. *The Poems of Elliott Coleman* (Dutton, \$2.00) live up to the description; they actually are so full of reverence for beauty, life, earth, and (especially) other poets, that they are precisely what one might expect.

It is too bad for chauvinism that the best poetry of the month is by two Englishmen, but the new books by Siegfried Sassoon and C. Day Lewis easily surpass in merit the work of the American poets separately considered in the preceding paragraphs. Sassoon's *Vigils* (Viking, \$1.50) shows a far different poet than either the outraged protester of *Counter-Attack* or the ironic commentator of *Satirical Poems*. It is a quieter and sadder

voice which proceeds from these pages, but it is a no less authentic and distinguished one. Here and there the note of anger breaks through, in "Ex-Service," for example, with its grim Hardyesque overtones; but these poems are chiefly the reflections of memory in which even the bitter emotions have been softened by time and tranquillity. "Everyman," "Elected Silence," and "Presences Perfected" are memorable poems revealing the older poet, half regretful, half resigned.

Day Lewis has yet to show signs of resignation. Being almost twenty years younger than Sassoon, his *A Time To Dance* (Random House, \$1.75) is full of righteous impatience, roughshod satire. Where Sassoon is nostalgic about the dead world of his youth, Day Lewis has no wish for backward glances; he regards the present with skepticism, but the future with hope, even with prophetic confidence. This volume suffers from the same curious blend of vigor and vagueness which marked his *Collected Poems*, published a year ago. But no reader will fail to note the new kind of verbal palette, the combination of lucid and dissonant harmonies, and the appropriateness of their employment, especially in the modern morality play, "Noah and the Waters."



The Check List

FICTION

ONCE WE HAD A CHILD.

By Hans Fallada.

Simon & Schuster, \$2.50

This is a somber, beautifully written story of a North German peasant boy, Johannes Gantschow, his passion for the farm which has been handed down to him through generations of hardworking forebears, and his love for Christiane, the playmate of his boyhood days who

ranks socially far above him. Johannes is less appealing, less human, than his predecessor in *Little Man What Now*. He is a taciturn, difficult person — too difficult even for the charming and resourceful Christiane who loves him, far too difficult for Elise, his wife who loves him also, as well but not as wisely. But Hans Fallada's characters are done concretely and with gusto, his narrative absorbing.



COOLIE.

By Madelon Lulofs.

Viking Press, \$2.00

In its translation from the Dutch, this book, concerning the complexities involved in the characters of even very simple people, loses none of its quiet beauty. A poor Javanese boy, seeking adventure far from his native rice paddies, find himself a contract coolie on a Sumatra rubber plantation. Instead of a glorious new life of wealth and opportunity, he faces one of drudgery and loneliness; yet the natural fatalism of his race sustains him, building up fresh courage to support an otherwise unbearable existence. The daily lives of the coolies, their struggles, quarrels, and love affairs, are told with sympathy and understanding.



TUDOR GREEN.

By W. B. Maxwell.

Appleton-Century, \$2.50

That virtue is its own reward might be termed the familiar moral of Mr. Maxwell's ambitious novel of a London suburb. Sketched on a large scale to include a score or more inhabitants of Tudor Green, it inevitably narrows to the story of Justin and Stella and their love for each other. The rest of the characters are background, against which only these two stand out with reality. Old-fashioned in its sentiment and treatment, the book nevertheless offers a vivid picture of a changing social order.



MANHATTAN SIDE STREET.

By Jay Dratler.

Longmans, Green, \$2.50

A block in New York's West Fifties is the scene, and the characters are the "Streeters", comprising a half-dozen races and several creeds. Every human quality is here, and every type — housewife, prostitute, gangster, bully: the life of each is examined microscopically. Part of the block is to be torn down, and with the advent of the house-wreckers, families begin to move

out, destroying the friendships of years and bringing to the Streeters a new awareness of solidarity. The climax is a community party for one of their number, Tony Minoni, a hero because he has saved the life of a fellow-worker on a construction job. In the celebration all the best and the worst of the Street rises to the surface. Mr. Dratler has written a careful and illuminating study of the people who inhabit America's side streets.



SHADOWS FLYING.

By John Evans.

Knopf, \$2.50

This is a psychological novel dealing with the intricacies of abnormal sexual relations. Carmel Valley, California, supplies the background, rich in beauty, against which is enacted a tragedy of frustration. Jacob, a pathological misfit, is invited by his friend, David Runyon, to accompany him on a vacation journey to the Runyon farm. Here he meets David's mother and sister. These four and their relations with one another constitute a profound character study, leading to a climax of madness which drives Jacob back to his home. Mr. Evans writes with feeling and a keen insight into the subconscious.



UP IN THE HILLS.

By Lord Dunsany.

Putnam's, \$2.00

Lord Dunsany's latest novel is agile, witty, and charming, without slipping across the perilous dividing line into whimsy. A group of dusky scientists from an African republic are resolved to dig up relics of the lake-dwellers in an Irish bog. "Europeans come to our State," says the resident of Liberissima, "and dig among our old ruins to find antiques. But do our folks go and dig for antiques in Europe? Plenty much we don't!" For the credit of science, then, a party of frock-coated archaeologists arrives in the village of Cranogue. There is a good deal about the Irish art of war, and some sprightly comment on history, all stirred together into a diverting tale.



DRUMS ALONG THE MOHAWK.

By Walter D. Edmonds.

Little, Brown, \$3.00

In going back to the occurrences in the Mohawk Valley during the Revolution, Mr. Edmonds has invaded a field of color and drama, interspersed with sober leavenings of history. The result is a first-rate book, in which the

novelist is faithful to scene and time without becoming lost in the mazes of romance. The narrative of Gilbert and Lana Martin, a pioneering couple who settled first in Deerfield, commences in 1776. It closes in 1784, after covering a span of the most active years in American history, as well as the most savage. The end finds the Martins back at the site of their first log cabin, preparing to force a living once more from the wilderness which, with the aid of the Indians, has repelled the sturdiest efforts to conquer it. In this novel, Mr. Edmonds assumes new stature as a chronicler of forgotten American times and persons.



MR. PELLY'S LITTLE HOME.

By *Ralph E. Mooney.* Longmans, Green, \$2.00

An inconspicuously sparkling novel about one Alonzo Pelly, who appears to be a strange combination of Caspar Milquetoast and Candide. He is not very bright, but he has a tenacious, unexplored faith in the goodness of human nature. Neither the disappointments of his job, where year after year less deserving men are promoted over his head, nor the manipulations of business sharpers who cheat him of most of his savings, can really shake his faith. The author commands a telling, though reticent, satire. The book is a wicked little comedy; its central character frequently takes on the dignity of universality.

THE BARONESS.

By *Ernst Wiechert.* W. W. Norton, \$2.00

Having already sold about 100,000 copies in Nazi Germany, this novel must in some measure indicate the temper of the people. The feeling is one of completely subjective emotionalism — for the book is as divorced from the realism of today's economic, social, and political scene as any fairy tale. The motivating problem concerns caste consciousness — the same problem that so completely obsessed D. H. Lawrence — peasant *vs.* lady. In place of Lady Chatterley we have a Baroness who has known the war and a loveless marriage; and in place of the gamekeeper there is a peasant who has spent twenty years at war and in prison encampments. Most of the action stems from vague memories of the past, the author being much less concerned with the struggle for daily bread than he is with the natural beauty of the deep forests and broad fields of his native land.

MISCELLANEOUS

PUBLIC OPINION AND POLITICS IN EIGHTEENTH CENTURY ENGLAND.

By *William T. Laprade.* Macmillan, \$4.00

The precarious but trenchant struggle of the press in the great experimental age of British journalism is charted precisely by Professor Laprade, against a background of life and public thought, from the tenure of William III to the fall of Walpole's Ministry in 1742. It is a dramatic story, enlivened by accounts of bitter personal rivalries, of blind partisanship, of controversy and satire and muckraking, which spread from London to entertain or enrage a nation hungry for news. A host of leaders cross the stage: Marlborough, Godolphin, Carteret, Swift, Defoe, Addison, and Steele. By research into the existent files of pamphlets and newspapers, the author has resurrected a store of neglected material concerning one of the gaudiest eras in Britain's long history of public letters.

GENERAL SMUTS.

By *Sarah Gertrude Millin.* Little, Brown, \$3.50

Jan Christian Smuts comes forth from this able biography as a man of strange and curious contrasts: a fighter and a pacifist, a liberal and a conservative, a poet and a financier, a dreamer and a statesman, a politician and a psychiatrist. Mrs. Millin, a South African herself, has gone back to the veldt for the roots of this book, tracing Smuts through the days of his weedy youth, until the Boer War made a robust man of him. Writing in crisp style but with broad strokes, she draws a definitive picture of the man who once fought Great Britain, and lived to become a bulwark in Britain's colonial structure. "Smuts sees, not what his eyes traverse, but what lies on the far side. It is his virtue, and also his failing." This is the thread which Mrs. Millin embroiders throughout a sympathetic but highly revealing biography. The present volume ends with Smuts' conquest of German East Africa in 1916, and will be followed by a second.



THE EVE OF 1914.

By *Theodor Wolff.* Knopf, \$4.50

Mr. Wolff, editor of the *Berliner Tageblatt* through the long and disturbed years 1906 to

1933, confirms an old suspicion — that it was a surfeit of ignorance, rather than a surfeit of brutal militarism — that precipitated the First World War. The book, in a thoroughly adequate translation by E. W. Dickes, reviews the now-familiar diplomatic maneuvers in which Europe's master statesmen were engaged on the eve of the war, but from an entirely new point of view. Without anger, without pedantry, without even a concealed desire to debate Germany's "innocence" or "guilt", Mr. Wolff provides an unusually well-informed and intimate portrait of the principal actors in that supremely tragic drama. The vacillations of the Kaiser, the machinations of Isvolsky, the expectations of Poincaré, the ambitions of Delcassé, the insular morality of Grey — all are shrewdly revealed. Mr. Wolff's document of incapacity and irresponsibility on the part of the leaders of nations should be welcomed by those who find the usual clichés inappropriate.



SOUTHERN REGIONS OF THE UNITED STATES.

By H. W. Odum. *University of North Carolina*, \$4.00

Professor Odum presents the familiar thesis that a time-lag seems to throw its shadow over the culture and character of the South, thus creating a serious problem for the people unfortunate enough to live there. But in the matter of offering a practical solution to the question, the author is no better equipped than a number of his literary contemporaries. Indeed, it has been argued with some validity that the problem, under current conditions, is impossible of solution. What Professor Odum presents here, nevertheless, is a profound and sympathetic study of the countless factors which enter into the Southern picture, the 628 pages being accompanied by over 1200 indices, maps, and tables. The result is a clarification of the struggle which a large portion of the American people is waging to master a complexity of cumulative handicaps. The result of the struggle, of course, will predestine the economic future of the great Southeast and Southwest.



MOVEMENTS OF THOUGHT IN THE 19TH CENTURY.

By George H. Mead. *University of Chicago*, \$5.00

This posthumous work, created from extensive notes of Professor Mead's lectures taken by his students, comprises a catholic analysis of the origin of current philosophic doctrines, with re-

spect to the historical events of the nineteenth century. The editor of the volume (the second of a series of three, proposed) is Merritt Hadden Moore. In discussing Professor Mead's doctrine, he says: "History exists only to the extent that individuals put themselves back into the past; this being the case, there is no alternative to the conclusion that the past as an object of historical study differs from age to age, for the individuals of any given period never bring to their criticism the same background, the same interests, the same accumulation of racial experience as do the individuals of different periods." In other words, the purpose of the Mead lectures was to emphasize the thesis that science is the pre-eminent factor in all modern thought. Its impact is manifest throughout the more than 500 pages of this excellent, scholarly compilation.



FOG AND MEN ON THE BERING SEA.

By Max Miller.

Dutton, \$3.

As a member of the Bering Sea Patrol Force, Mr. Miller this time covers the Alaskan waterfront, between the Washington boundary-line and the Bering Sea. Writing in the same simple, racy style that he has employed to such great success in his earlier works, he describes the numerous queer men and women to be encountered in the Eskimo villages and half-deserted towns of the famous Gold Rush. He visits King Island with its cliff-dwellers, and mingles with the lonely inhabitants of Nome. St. Lawrence Island and Cape Prince of Wales are also included in his tour of the Alaskan coast.



OVER THE WALL.

By Lee Duncan.

Dutton, \$3.00

Thirty-year-old Lee Duncan, ex-convict No. 9256, was released by a special Board of Pardons from serving his thirty-five-year sentence in Oregon State Prison. Duncan emerges from solitary confinement to try to find a foothold in an alien world. Save for an eighteen-month period of enlistment in the United States Army, he has been a law-breaker, both in and out of prison, since he ran away from home at the age of fourteen. The record of his adventures as thief and forger, his prison term under two types of warden, his spasmodic breaks for freedom, and the warped lives of his companions on the other side of the walls, makes lively reading.

THE CONTRIBUTORS

ALLEN CHURCHILL (*What Happens to Playscripts*) is a member of the editorial staff of *Stage*. . . . ALBERT CLEMENTS (*Walking All Ways at Once*), a resident of Hudson, New York, writes poetry and fiction for various magazines. . . . KENNETH BROWN COLLINGS (*America Will Never Fly*) has been a flying instructor, airport manager, and airmail pilot; he now operates an insurance agency in New York City and writes extensively on the side. . . . LAWRENCE DENNIS (*The Highly Moral Causes of War*) was graduated from Harvard, and completed his education in Europe. After the World War, he entered the United States diplomatic corps, serving in Haiti, Rumania, Nicaragua, and Honduras. In 1927, he resigned from government service to engage in private business. His latest book, *The Coming American Fascism* (Harper's), was published last year. . . . GEORGE S. HELLMAN (*R. L. S. and the Streetwalker*) is the author of numerous books, stories, and poems. . . . MARJORIE WALTHALL JACKSON (*My Respects*) resides in Jonesboro, Arkansas, with her husband, three English setters, and thirteen foxhounds. . . . JOSEPHINE JOHNSON (*Against Mountains*) has been a chemical laboratory assistant and a librarian. She lives in Norfolk, Virginia, but wrote this poem at her cottage at Cape Henry. . . . STEPHEN LEACOCK (*What the Reviewers Missed*) retired from McGill University, Montreal, last May, where he had been a professor for thirty-five years and head of the Economics Department since 1907. He is well-known as a humorist and lecturer. His *Greatest Pages of American Humor* (Doubleday, Doran) appeared this year. . . . LAWRENCE LEE (*The Statue*) is an instructor in French at the University of Virginia. . . . AR-

THUR MACHEN (*Portrait of an Archbishop*) is the distinguished English author, critic, and essayist; he is a frequent contributor to *THE MERCURY*. . . . EDGAR LEE MASTERS (*Four Americans*) is best known for his *Spoon River Anthology* and *Lincoln—the Man*. His latest volume of verse, *Invisible Landscapes* (Macmillan) was published last fall. . . . H. L. MENCKEN (*The Reds and Civil Rights*), the former editor of *THE MERCURY*, appears again in this issue as a contributor only. His revised and rewritten fourth edition of *The American Language* (Knopf) was published this spring. . . . H. T. NEWCOMB (*Regimenting the Railroads*) retired from business at the end of 1934; prior to that time he was vice-president and general counsel of the Delaware and Hudson Railroad, and an official of various other rail concerns. . . . ALBERT JAY NOCK (*The Politicians Take Over*), one of the foremost writers on past and present problems of American government, is a regular contributor to these pages. . . . HENRY MORTON ROBINSON (*The Newest Medical Racket*), has been sailor, teacher, and editor. His latest book, *Science versus Crime* (Bobbs-Merrill), appeared last year. . . . JESSE STUART (*Hair*) teaches school, farms his own acres, and writes poetry and stories in his native Kentucky mountains. His first book of short stories, *Head O' W-Hollow* (Dutton), was published last April. . . . JOHN W. THOMASON, JR. (*They Got What They Wanted*) is a major in the United States Marine Corps, and a well-known writer and illustrator of books, short stories, and articles. His reviews will appear regularly in *THE LIBRARY*. . . . KATHRYN WORTH (*Posthumous Award*) is the wife of a professor of English at Vanderbilt University.



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THE OPEN FORUM

(Continued from front advertising section, p. vi)

the literate male population of this country is composed of morons — that is, with a mental age never exceeding that of a normal child of twelve years. If Anonymous is correct, then it is high time that psychologists changed their standard of what constitutes normal twelve-year-old intelligence.

Furthermore, if pulp stories are as mechanized and as poorly written as Anonymous contends, why is it that so many people — actually almost every third newsstand buyer of a magazine — prefer the pulps? Surely not for the paper, which is the cheapest publishers can secure. It must be that the contents of these magazines give their readers something they cannot find in any other type of publication. Perhaps it is the temporary daydream of a world in which right always triumphs, in which the weak always find succor, and in which troubles always end in a permanent solution.

I do not know for certain what makes pulps sell; a fortune awaits the discoverer of such knowledge. I do know that out of the mounds of manuscripts coming into a pulp office, we find at least one or two stories for each issue with that under-the-skin quality which will make even a hard-boiled pulp editor doff his hat respectfully. For the rest of the magazine we have to depend on the synthetic concoctions of such as Anonymous. I know, too, that the pulp magazine which consistently prints the greatest number of honest stories usually has the largest circulation. Maybe our audience is not so dumb as Anonymous thinks.

Now that Anonymous has “made the *MERCURY*”, I suppose he feels much happier. In his ten years of pulping, he has killed not only a thousand men but a thousand dreams of self-expression, and dream-killers make their own prisons, in which Conscience, the sadistic “screw”, extracts the last whisper of remorse from its lone inmate. At best, however, Anonymous in his article has been merely a verbal clown providing entertainment to the limited few who enjoy this subtle form of muckraking. Each man to his taste. Myself, I would rather purvey entertainment profitably to the millions of men who go to the newsstands with their hard-earned dimes.

A. A. WYN

President, Magazine Publishers, Inc.
New York City

SIR: I read with considerable interest an anonymous article in your magazine on pulp magazines by a writer of stories in them. My interest was personal in that I have read a good many of them during the last fifteen years or so. My tastes in pulps has been rather catholic, just as my taste has been generally catholic in most of my reading, ranging from several trade and professional magazines, through *Harpers*, the *Saturday Evening Post*, and pulps, and I believe I too could give a fairly accurate history of the rise, decline, and fall of many of them. While I agree with your author as to pulps in general, I do believe he has been a little all-inclusive in his indictment. I know that quite a number of writers in my favorite pulp, *Adventure*, have graduated into the slicks, and that a number of writers in *Detective Fiction Weekly*, *Short Stories*, and *Blue Book* have also had stories in the slicks as well as books published. In my opinion many of the stories published in these magazines were as good or better than anything these same authors have published since leaving them. I am thinking particularly of Alan LeMay, Harold Lamb, Bedford Jones, S. B. H. Hurst, T. S. Stribling, and others.

One of the best pulps was a short-lived one called *Sea Stories*. These stories were more on the order of diaries or articles similar in many ways to *Two Years Before the Mast*, and gave the reader the impression that they were written by seamen, not just hack writers writing upon any subject. I not only agree with the writer that many of the pulps are pretty bad, but go further and say that some of them I have sampled are awful. I know that I sampled a *Spicy* some months ago and was not able to finish a single story in it. Maybe the *Spicy* series has improved — I know they have increased in number so they must sell — but I have never felt like risking another ten or fifteen cents.

WILLIAM M. RUDERSDORF

Houston, Texas



NO LABOR, NO DOLLAR

SIR: The letter of Mr. Milman H. Linn, in *THE OPEN FORUM* for May, has attracted my attention as a very good example of the Depression views of the favored few, of which he claims to be one. The torture to his pride some three years or more ago, when his vanishing capital was threatening to leave him in penury in his old age, must have been something terrible. And the reversal of that



THE OPEN FORUM

condition some three years or more later must have been quite agreeable. But why he should credit Mr. Roosevelt with bringing about his now favorable condition, he does not intimate; or why he is not inclined to charge Mr. Roosevelt with bringing on the then bank panic of which he now complains.

He can certainly remember that shortly after the election, Mr. Hoover, seeing the panic coming on, requested Mr. Roosevelt to stop it by declaring his financial policy, which Mr. Roosevelt declined to do, and in consequence the panic followed the inauguration. Who then can in fairness be charged with that panic but Mr. Roosevelt? Again, does Mr. Linn not know that Mr. Roosevelt's avowed policy was to stop stock gambling and stock gamblers, such as himself, and that the improvement in his stock gambling has come about in spite of Mr. Roosevelt's efforts to the contrary?

Mr. Linn does not seem to realize that Relief has now reached a peak level, and that there are a million more unemployed than there were when Mr. Roosevelt took office, regardless of the many billions that he has wasted trying to cure that curse; and that unless that condition is cured he (Mr. Linn) will again find himself in the dilemma of which he complains. Mr. Linn, evidently like Mr. Roosevelt, does not know where a dollar comes from. He does not know that "No Labor, No Dollar" is not only the rule but the fact. That unless someone labors we are only swapping what we have, and consuming the wealth that is. It seems quite presumptuous for Mr. Linn to take exceptions to the writings of one of the country's best-informed and most able writers.

LAFE JOHNSON

Vincennes, Ind.



A COMRADE OBJECTS

SIR: I wish to register my firm disapproval of the article "Professional Communist", by D. A. Ross, in your April issue. As a communist, I believe in free speech, but if you intend to be fair, why didn't you invite an article from a communist on the same subject? The following charges (among others) are untrue:

1. That professional communists don't want to work. (Proof?)
2. That they are indifferent to the facts. (Who isn't?)

(Continued on page xii)

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THE OPEN FORUM

(Continued from page xi)

3. That they are spineless. (By what criteria?)
4. That they are dirty as a rule and consider bathing to be "a bourgeois habit". (Communists aren't more dirty than other people who are poor.)

5. That they love violence. (We abhor violence and try to avoid it. It is only to avoid the greater "violence" of another world war that we would be willing to take up arms to defend the people.)

Remarks such as "heelers", "public nuisances", etc., only serve to play into the hands of the rising American fascism which would begin by exterminating and imprisoning communists by the help of such ideas, and soon would do likewise to all trade union leaders and liberals. An editorial note (at the very least) of the fact of this (and possibly other) protests would be a sign that liberalism is not dead on THE AMERICAN MERCURY.

MORRIS ENGEL

Brooklyn, N. Y.



THE LIBRARY

SIR: Has not the "school-mistress" type of reviewing almost exhausted its usefulness? In your May number, Mr. Laurence Stallings makes it clear that the recent books of his equally eminent colleagues, Mr. Walter Duranty, Mr. John Gunther, and Mr. Negley Farson, are not written in the way that Mr. Stallings himself would have written them. He also awards passing or non-passing marks, and throws in a few "insinuos" for good measure. The three writers require no defense from me: I suspect that each one is quite able to hit back in his own chosen way. But I, as a mere reader, wish that our reviewers would be less concerned with their own school-mistress show-off powers, and would be more serious in interpreting for our benefit the books that come into their hands. The purpose of a review is not to put the author in his place, but to give the reader a fair picture of the nature of the book.

ARTHUR DAVISON FICKE

Hillsdale, N. Y.



AS TO PROTESTANTISM

SIR: By all means beat Roosevelt; but even if he is defeated there still remains a vast army of tax-eaters joyously consuming your substance, so that after all the thing that needs to be done is to lop off anywhere from three-fourths to nine-tenths of our present governmental activities.



THE OPEN FORUM

In examining our present status, however, it is well to remember that every effect must have a necessary and sufficient cause, and in the present case this is not difficult to discover. If the full significance of this one fact is fully appreciated, everything else is satisfactorily explained. The one overwhelming fact to which I refer is that Europe, and at present all of America, is Protestant. And now what we are witnessing is the final triumph of Protestantism and all that this implies. Since Protestantism is purely political in its policies, and has for its sole end the political control of nations, it is but natural to expect where this philosophy gains control, that along with it will come an expansion of all manner of political activities, and this is exactly what we have seen, and so long as Protestantism is in the ascendant, we are bound to see a great deal more.

Christianity was nearly fifteen centuries in developing: it has required a little over four centuries for Protestantism to destroy it. It now remains to see how long it requires for Protestantism to destroy itself; for this I think must be the final outcome, since it has always been highly destructive, and if there is nothing else to turn against, it is almost certain to turn against itself.

ROYAL P. JARVIS, E.M., PH.D.

Mexico



A PUBLIC SERVICE

SIR: I think one of the most salubrious things a publication can do is to permit its readers to participate in discussions through the medium of a readers' open forum rather than relegate them to the purely passive role of readers. This is particularly true of publications devoted to a large extent to thought-provoking and stimulating articles. Progress is made by the light of searching inquiry played upon subjects of public interest and moment. Therefore media which promote discussion are performing a public service, as well as providing a source of entertainment.

There are, of course, all shades of public opinion, as indeed there are all shades of magazine covers. The shade of THE MERCURY — the familiar green — is known all over and has become justly famous. And if the sage who created the remark "every knock is a boost" is correct, then you certainly have given the New Deal a boost, and if you think that is a pun, I assure you it is intended.

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Turn to page v to find
THE LITERARY BAZAAR
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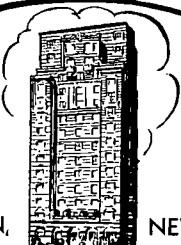
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After an absence of seven years from records, Arturo Toscanini's return to discs with his first recorded Wagner is an event of more than ordinary significance. It has never been a secret that Toscanini's dissatisfaction with the results of previous recording sessions caused him to vow never to meddle with the device again. His reconsideration of that decision is less a commentary on the weakness of his will power than it is a tribute to the recent advances in recording technic and fidelity of results. Certainly no one will gainsay the fact that this *is* the Philharmonic-Symphony Orchestra, that this *is* Toscanini's Wagner which we have on these records (RCA-Victor, five 12-inch records, \$10).

The one blemish to be noted in the set is a consequence of the difficulty of dealing with this conductor, and the slight co-operation obtained from him by the recording technicians. I refer to the blank spaces at the edge of certain records after the needle starts tracking (as much as twenty-two seconds on the B side of the *Lohengrin* prelude), a result of the conductor's desire to play the works through with a minimum of pause in the performance. The choice of separation points is also bad throughout. In every other respect, however, the venture is wholly successful, especially in the matter of tone and orchestral quality. Included in the set are the Preludes to *Acts I* and *III* of *Lohengrin*, the *Siegfried Idyll*, and the *Rhine Journey* from *Götterdämmerung*, preceded by the Dawn music and a portion of the love-duet.

Columbia's principal offering of the month is also of considerable musical importance, if somewhat less sensational in character. This is a selection of nearly two dozen songs from the literature of Robert Franz, many of which have not been recorded before. Though Franz has never been recognized as such in America, he belongs in the truly great line of *lieder* composers, and his best works are worthy of rank beside those of Schubert, Wolf, Schumann, and Brahms. The records of this set (Columbia, three 12-inch, and two 10-inch records, \$6.50), are the work of Ernest Wolff, baritone, who also plays his own accompaniments. In fact, Wolff began his career as an accompanist and only recently turned to singing publicly. As a result his performance is empty of the usual pretensions of the professional vocalist, representing what may be termed, in the best sense, the amateur spirit. His voice is not remarkable for range or quality, but all the singing is "from the heart", and thus is eminently satisfying. Together with the self-played accompaniments, the records offer an unusually well-integrated artistic whole.



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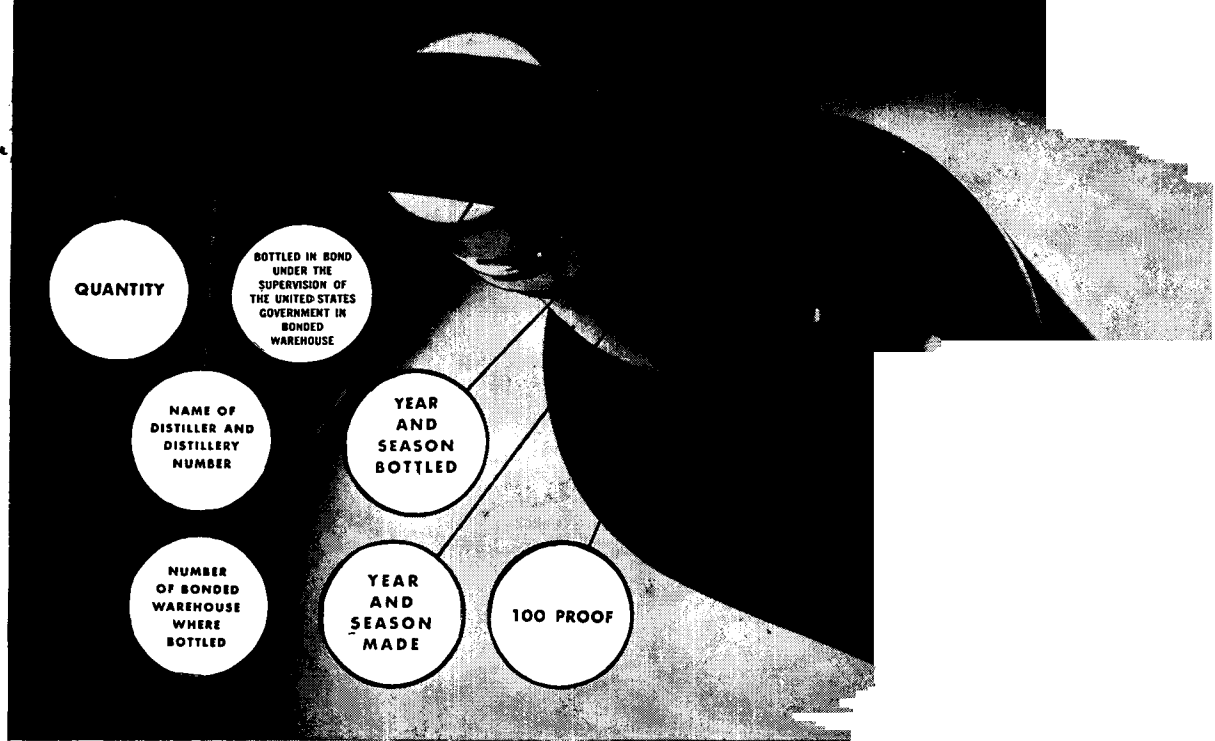
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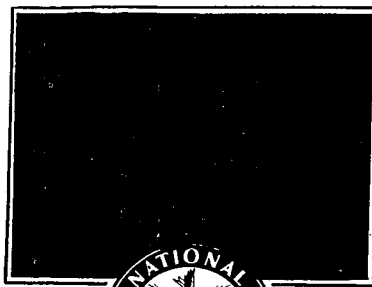
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